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NOVEMBER 2004

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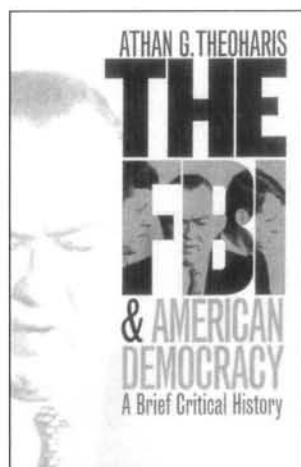
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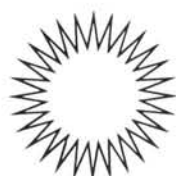
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THE AMERICAN PROSPECT



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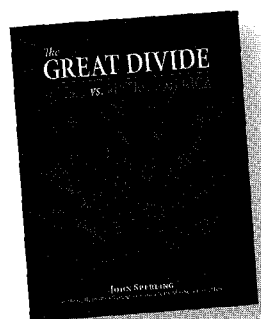
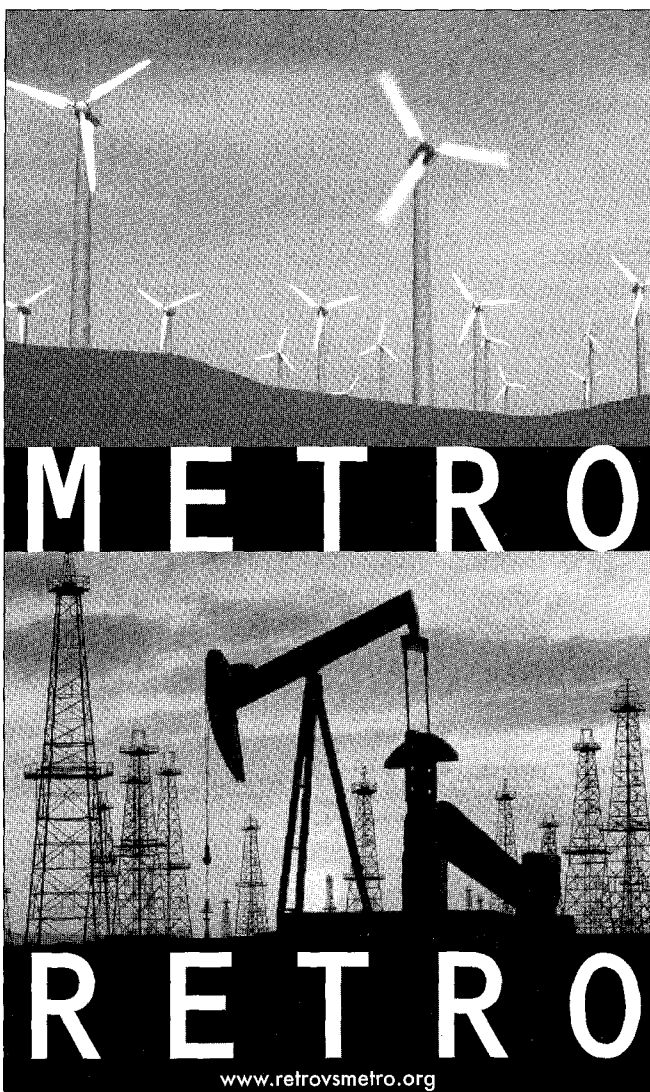
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A World Apart

George W. Bush and John Kerry could agree on one point in the first presidential debate: Nuclear proliferation—especially the risk of terrorists obtaining nuclear weapons—represents the most serious threat we face. But the difference in how the

two candidates approach the problem illustrates a more fundamental political divide that will stretch beyond this election. That split is about the means of making American power effective as well as the grounds for using it.

As Bush sees it, the United States can best protect itself through two means: the forward projection of American military power and a confident assertion of American ideals of democracy and capitalism. If allies come along with us when we intervene, they come; if not, not. We cannot allow other countries to deter us from fully using our power.

As Kerry sees it, the United States can best protect itself when it leads the world community. No other country has a veto on American policy, which needs to be focused on terrorism. But rather than conducting policy as a monologue, we have to listen to our allies and negotiate to gain wide cooperation, especially in dealing with such nonstate threats as al-Qaeda. And rather than imposing our ideals by force, we need to bring people elsewhere around to our views. Where Bush with his aggressive unilateralism would spend American power, Kerry wants that power conserved and enlarged through diplomacy and alliances.

These two conceptions of how to create effective power are rooted in different understandings of the Cold War. Conservatives believe Ronald Reagan's military buildup and unambiguous rejection of the "evil empire" drove the Soviet Union into the ground, while liberals hold that the alliances built after World War II contained Soviet expansion and that the internal failures of the Soviet system ultimately caused it to implode.

The same divergence in worldview appears in regard to protecting Americans from nuclear terrorism. For Bush, the risk that Iraq might have eventually produced weapons of mass destruction and given them to terrorists remains the ultimate justification for going to war, despite the Duelfer report's findings that Saddam Hussein had neither the weapons nor a weapons program when the United States invaded. The Duelfer report shows that the Iraq War was not, in fact, preemptive; there was no imminent or "gathering" threat to preempt. The war was, at best, preventive—it eliminated an indefinite risk.

Kerry and most liberals do not disagree about preemption: If a threat is imminent, a nation has a right to strike first. The disagreement is about preventive war, where there is time for negotiation and alliance building and possibly for alternative measures short of war that can achieve the necessary results. To thwart nuclear terrorism, Kerry also puts more emphasis on securing nuclear materials in the former Soviet Union.

No doubt the conservative vision appeals to a formidable part of the American character. The liberal vision, however, is neither weak nor so subtle that people can't understand it.

It doesn't take an advanced degree to know that it's better to have the world on your side.

The United States certainly ought to use force, with or without allies, if nothing but force will stop nuclear arms from getting into terrorists' hands. But the circumstances are rarely so clear, and, as Iraq has shown, a war intended to eliminate one danger may multiply others. The U.S. occupation has earned America new enemies and our enemies new friends, and it has given Iran and North Korea both the opportunity and the incentive to step up their nuclear programs. The desperate isolation of the latter could make it particularly apt to sell weapons to terrorists.

Bush now calls for perseverance in Iraq, and that may mean staying there indefinitely. Kerry urges a multilateral strategy for training and reconstruction and, by saying that Iraq was the wrong focus for the war on terrorism, suggests that we need to extract ourselves expeditiously and get back to waging the right war. Like Bush, Kerry says we must succeed in Iraq, but his criteria for success do not appear to be the same. Bush turned Iraq into an American ideological crusade, and Kerry may more readily give that up.

While Iraq is our most immediate foreign crisis, the choice facing Americans extends much further. In 2000, many voters thought the candidates had no important foreign-policy differences; this time they're unlikely to make that mistake, and the world hangs on their choice. But however the election goes, the debate about how to use our power effectively won't be over in November.

—PAUL STARR

**The great divide is
over how to make
American power
effective as well
as when to use it.**



"Implying that Cato's position is dictated by dollars rather than honest belief is ignorant, insulting, and poisonous to a civilized discussion of public policy."

—JERRY TAYLOR
Washington, D.C.

Correspondence

Fueled Up

IN HIS ARTICLE "THE BIG Squeeze" [September 2004], David Sirota tagged the Cato Institute as "an industry-backed think tank" and claimed that ongoing contributions from Chevron, Exxon-Mobil, and Unocal help explain why Cato maintains that fossil-fuel reserves are plentiful and not in significant decline. This is pure nonsense.

Let's assume, for the sake of argument, that funding sources are relevant to policy discussions (an omnipresent and rather tired ad hominem). The fact remains that only 7 percent of Cato's budget in 2003 came from business sources—less, I would imagine, than goes to most advocacy organizations on the left. Big Oil's contributions were a trivial part of that figure.

Why aren't those contributions greater? One important reason can perhaps be gleaned by Googling "Jerry Taylor," "Cato," and "Bush energy plan." You'll find a plethora of scathing quotes and op-eds from me (some even co-authored with representatives of the Sierra Club!) blasting the administration's energy policies and proposed national energy strategy. Google me on "ANWR," "nuclear power," and/or "Clean Air Act" for even more points of departure from the corporate energy agenda.

In short, there are any number of people in the environmental movement who will vouch for the fact that Cato is an honest party to the energy debate. They may not agree with us all the time, but they do indeed respect us for our integrity. Implying that Cato's position is dictated by dollars rather than honest belief is ignorant, insulting, and poisonous to a civilized discussion of public policy.

JERRY TAYLOR
*Director, Natural
Resource Studies,
Cato Institute
Washington, D.C.*

David Sirota responds:

The Cato Institute's anger at my piece is to be expected: The big taboo in Washington is having the nerve to talk about where institutions get their money, and what that money buys in return. Mr. Taylor argues that not all of the oil companies his institute takes money from tell him what to produce. That may or may not be true, but are we really to believe that these companies give Cato money out of the goodness of their heart? Of course not.

As reported in my article, Cato has the nerve to issue a "report" telling the public that "[f]ossil-fuel resources are becoming more abundant, not scarcer"—even as data show that is not true. As Americans buy more gas-

guzzlers that pad oil-industry profits, Cato issues columns headlined "Government Should Steer Clear of the Fuel Economy Issue." Mr. Taylor himself wrote one headlined "Stop! Don't Ditch Your SUV Just Yet." Similarly, as skyrocketing gas prices force the middle class to hand over billions more to the oil industry, Cato issued an article headlined "Let 'Em Gouge: A Defense of Price Gouging."

These declarations are so divorced from reality and indifferent to America's middle class that only an organization backed by the oil industry could spew them with a straight face. And it does not matter whether the oil industry gives the Cato Institute money before or after this drivel is produced. The critical point Mr. Taylor desperately wants to hide is simple: Large oil companies are funding Cato and other institutions because these institutions generally advance a pro-industry agenda that runs roughshod over every other public-policy priority.

Look Left, Noy

I AM AN INDEPENDENT documentary filmmaker in Los Angeles and the co-director/producer of *Unprecedented: The 2000 Presidential Election*, which chronicles how the election was stolen in Florida in 2000

and has been updated to reveal the potential fraud in the upcoming November presidential election.

In an effort to get out the vote, I created the Take Back Democracy Film Festival early this year, which is composed of more than 12 well-made political documentaries that have not gotten theatrical distribution or television airing. These films address issues of voting rights, civil liberties, political exposure of the current administration, etc. This spring I found about 20 grass-roots groups in 20 cities across the United States to organize this festival, which is free and open to the public.

This festival was held in Dallas at the exact same time as the conservative American Film Renaissance Festival, which Noy Thrupkaew wrote about in her article "Texas Film School Massacre" [*TAP Online*, September 20]. Take Back Democracy received a lot of mainstream media attention in local Dallas newspapers, from The Associated Press, and on local radio shows. Articles mentioned that a conservative film festival and a liberal film festival were taking place at the same time and a short distance from each other. Both were well attended.

So why did Thrupkaew ignore the Take Back Democracy Film Festival? If the

mainstream media were able to write and speak about us, why wasn't *The American Prospect*, a supposedly progressive magazine? I find that the problem with many progressives is that they don't know how to promote themselves and build a movement, but, instead, spend most of their time critiquing the conservatives. No wonder our movement is so weak!

JOAN SEKLER
Los Angeles, CA

Unions' Due

THE AMERICAN PROSPECT'S special report "Bringing Human Rights Home" [October] deserves praise for linking core concepts of international human rights to U.S. domestic policy. However, it was guilty of a major omission: namely, its inattention to whether American workers enjoy the fundamental freedom to join labor unions and engage in collective bargaining. Ironically, the report appeared in an issue of *TAP* in which Harold Meyerson aptly weighs the question, "Will Unions Exist?"

In 2000, Human Rights Watch issued a major report, *Unfair Advantage*, which detailed extensive, pervasive employer abuses of the right to organize in America, buttressed by weak and inadequately enforced federal labor laws. Human Rights

Watch concluded that the state of workers' freedom to choose union representation in this country has sunk to the level of a human-rights violation (as measured by nonpartisan international standards).

TAP's editorial slight comes at a time when Congress is considering a major piece of labor-law-reform legislation, the Employee Free Choice Act, which would help to restore the right of workers to opt for union representation. The act would provide for "card check" union authorization, binding arbitration when employers stonewall efforts by new unions to negotiate first contracts, and beefed-up penalties for labor-law violations.

Throughout the last century, evolving global human-rights standards embraced the freedom of association and the right to engage in collective bargaining. We urge *TAP* and human-rights advocates and scholars to recognize that these basic labor issues are a critical element of human rights in our own backyard.

Members of the Workers' Rights Committee of Americans for Democratic Action Washington, D.C.

Letters to the editors should be sent to letters@prospect.org or mailed to The Editors, *The American Prospect*, 2000 L St., NW, Suite 717, Washington, D.C. 20036.

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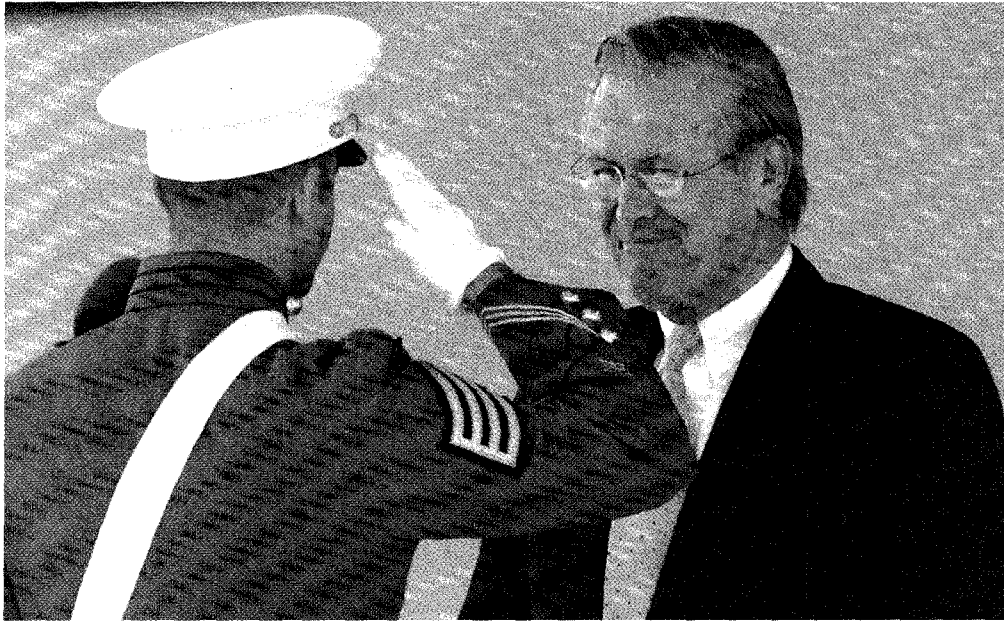
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Loyal to Rumsfeld—or the Constitution?

A REMARKABLE CEREMONY took place in the Pentagon last month. Defense Secretary Donald Rumsfeld swore in the civilians who will be reviewing the judgments reached by military commissions at Guantanamo Bay, Cuba. Here is their oath of office: “Does each one of you swear that you will faithfully and impartially perform, according to your conscience and the rules applicable to the review filed by a military commission, all the duties

incumbent upon you as a member of the review panel, so help you God?”

Not a mention of the Constitution. The secretary’s appointments swear to recognize no higher authority, under God, than the secretary himself.

This oath violates the clear commands of Congress. The first statute ever enacted into law—on June 1, 1789—imposed a constitutional oath on all officials, and current law expressly requires everyone ap-

pointed “to an office of honor or profit in the civil service or uniformed services” to swear that he or she “will support and defend the Constitution.”

This illegal oath serves as the capstone of a ramshackle edifice that the secretary is constructing at Guantanamo. The administration has refused to follow the Geneva Conventions and prosecute alleged terrorists for war crimes under the well-established procedures of the Uniform Code

of Military Justice. Instead, it has insisted on creating special rules for trial by “military commission,” an institution that lapsed into disuse more than a half-century ago.

The Pentagon’s initial efforts to resurrect these commissions don’t inspire confidence. Five officers have been appointed to serve on the military commission at Guantanamo, and three have obvious conflicts of interest: One served as an intelligence officer in Afghanistan and Iraq; another helped transfer prisoners to Guantanamo; and the wife of a third was an employee of John Altenburg, the senior Pentagon official who is supposed to oversee the trials. During preliminary proceedings, the only legally trained officer on the panel has misrepresented his past pronouncements on a key legal issue, and was reduced to embarrassed silence upon learning that his prior comments had been taped. The problems have been so blatant that the senior military prosecutor has agreed that some members of the tribunal should consider disqualifying themselves.

Within this context, even an aggressive civilian review panel wouldn’t suffice to reassure the world that America is living up to its constitutional commit-

Details

"You know, it's hard work to try to love her as best as I can, knowing full well that the decision I made caused her loved one to be in harm's way."

—GEORGE W. BUSH, talking about Iraqi War widows

ments to fundamental fairness. The illegal oaths serve to place this larger failure in high relief.

The federal courts will ultimately decide the constitutionality of Rumsfeld's military commissions, but the members of the review panel should not wait until the outcome of a lawsuit to get themselves on the right side of the law.

All four are leading jurists: former U.S. Attorney General and federal Judge Griffin Bell, former Congressman and state Judge Edward Biester, former Secretary of Transportation William Coleman, and Chief Justice Frank Williams of the Rhode Island Supreme Court. Once the illegality of their oath is brought to their attention, they should take a more legal one—to the Constitution of the United States.

—BRUCE ACKERMAN

Primeval Minefield

FOR A FEDERAL STATUTE, the Wilderness Act of 1964 contains some unusually poetic language. As if channeling Henry David Thoreau, the act defines a federal wilderness area as a place "where the earth and its community are untrammelled by man ... retaining

its primeval character and influence ... and that generally appears to have been affected primarily by forces of nature, with the imprint of man's work substantially unnoticeable."

It's therefore a wonder how on God's green earth a large swath of land used as a naval bombing range for 50 years could qualify as a federal wilderness area. And yet in April 2003, when the Navy ceased its operations on the tiny Puerto Rican island of Vieques, the Department of Defense turned over the territorial jurisdiction of lands it formerly used as ammo dumps, training facilities, and bombing ranges to the Department of the Interior. The Interior Department, in accord with an act of Congress, then "administered" about 900 acres of the eastern portion of the island as a designated wilderness area.

This not-at-all-innocent distinction means that humans are not allowed access to the area. And this is exactly why Congress—more precisely, some members of the House Armed Services Committee—colluded with the Department of Defense in 2002 to designate these 900 acres as "wilderness." The Navy is responsible for the costs of cleaning portions of Vieques, but by declaring the former bombing

range uninhabitable, the Navy is magically spared the task of clearing unexploded munitions.

While no one actually lives on the former bombing range, there is a town close by, and the possibility remains that lead and other contaminants might leach into the groundwater. Furthermore, contamination from the site could migrate to the ocean from storm-water runoff on the beaches. Nearly half the residents of Vieques eat fish once or twice a week, and a contaminated fish and shellfish population could create a public-health crisis throughout the island. Should this happen, points out Congressman Jose Serrano of the Bronx, a champion of the environmental cleanup of Vieques who commissioned the Congressional Research Service report that brought this tale to light, the Navy

would be required to pay for the cleanup—and might be liable for a good deal more than that.

No doubt these fields of unexploded ordnance and contaminants make for a unique habitat, but that's not quite the same as "primeval."

—MARK GOLDBERG

Bush, the Populists' Pal

IN A SIGN OF GROWING desperation, George W. Bush has taken to preaching from the gospel of economic populism in the waning days of his presidential campaign—at least, when he's in working-class communities. But oddly for a guy sitting on a nearly \$20 million fortune, the president doesn't seem to know a lick about accounting principles.

BRAVE NEW WORDS

HAVE NEVER Have frequently, as in Vice President Dick Cheney's assertion, "I have never suggested there's a connection between Iraq and 9-11."

FIRST TIME Third or fourth time, as in Cheney's remark to John Edwards, "The first time I ever met you was when you walked on the stage tonight."

MOST TUESDAYS Two Tuesdays, as in Cheney's assertion that he's "up in the Senate most Tuesdays when they're in session."



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"[John Kerry] says the tax increase is only for the rich," Bush told a Wilkes-Barre, Pennsylvania, crowd on October 6. "You've heard that kind of rhetoric before. [The] rich hire lawyers and accountants for a reason: to stick you with the tab."

In Canton, Ohio, Bush even got a little honky-tonk with his grammar as he inveighed against scheming rich tax dodgers: "[John Kerry] said he's only going to raise the tax on the so-called rich. But you know how the rich is [sic]: They've got accountants. That means you pay. That means your small business pays. It means the farmers and ranchers pay."

Well, yes, but whose fault is it? Though it rankles real populists, these tax loopholes that the rich exploit are completely legal. If the president had even a momentary palpitation at the injustice of it all, you'd think he would just seal off the loopholes and enforce the law. But during his administration, his IRS has stepped up fraud policing of—drumroll, please—recipients of the Earned Income Tax Credit, whose payments in 2001 averaged \$1,766 a year.

Now that's rich.

—AYELISH MCGARVEY

Protocols of Wal-Mart

FOR THOSE OF YOU WHO thought Wal-Mart merely drags down middle-class living standards in the United States, represses worker rights in the developing world, fails to provide insurance for its employees, wipes out its better-paying

competitors, discriminates against women, keeps its janitorial workforce in semi-servitude, and gives big money to the GOP—wait! There's more!

It turns out that Walmart.com was selling in its book section *The Protocols of the Learned Elders of Zion*, the famous century-old forgery authored by Czar Nicholas II's maniacally anti-Semitic secret police, which purported to compile documents from satanic rabbis detailing how Jews would take over the world, drink the blood of Christian children, and perpetrate other Mel Gibson-like pleasantries. On Amazon.com, the book is described as "[o]ne of the most infamous, and tragically influential, examples of racist propaganda ever written." But the Wal-Mart Web site took a different tack, proclaiming, "If ... the *Protocols* are genuine (which can never be proven conclusively), it might cause some of us to keep a wary eye on world affairs. We neither support nor deny its message. We simply make it available ..."

Both the Anti-Defamation League and the Simon Wiesenthal Center understandably blew a gasket when Wal-Mart's studied neutrality toward Hitler's favorite book was called to their attention in late September. Wal-Mart then discreetly removed the volume from its Web site in what one company official told Reuters was "a business decision."

What all this portends for the discount pogrom-supply sales in the superstores remains to be seen.

—HAROLD MEYERSON

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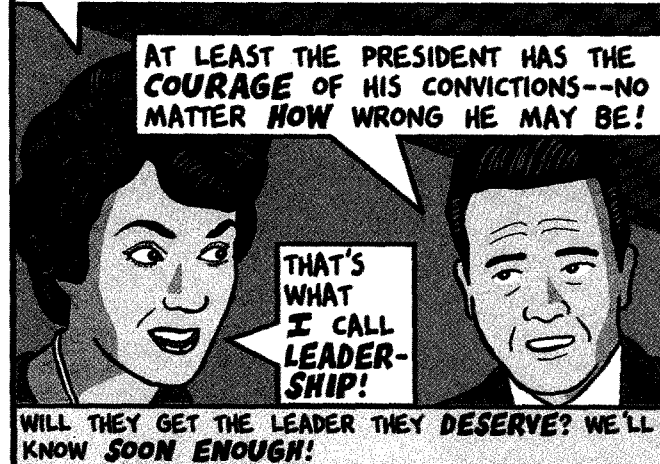
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PATIENTS TO FEDS: "Hands off our medical marijuana." The Court agrees -- it's up to the states.

On September 23, 2002, Mike and Valerie Corral's medical marijuana hospice near Santa Cruz, California, was raided just before dawn by federal agents. They were held at gunpoint while their co-op garden was destroyed.

The raid sparked outrage from Santa Cruz officials because the co-op was a text book example of what California's medical marijuana laws were supposed to allow: a safe place for the sick and dying, with a common garden, where the patients could care for each other. The city, county, and the co-op sued the federal government.

On April 21, U.S. Circuit Court Judge Jeremy Fogel barred the Justice Department from interfering with the Corrals, their 250 fellow patients, or their marijuana garden.¹ Judge Fogel cited *Raich v. Ashcroft*, the recent Ninth Circuit decision that found the federal government has no jurisdiction over patients who grow their own plants.²

The latest government study says, "cannabinoid drugs might offer broad spectrum relief not found in any other single medication."³ A TIME-CNN poll shows that 80 percent of Americans support medical marijuana for the seriously ill.⁴ Isn't it time for the federal government to catch up with science and the people?⁵

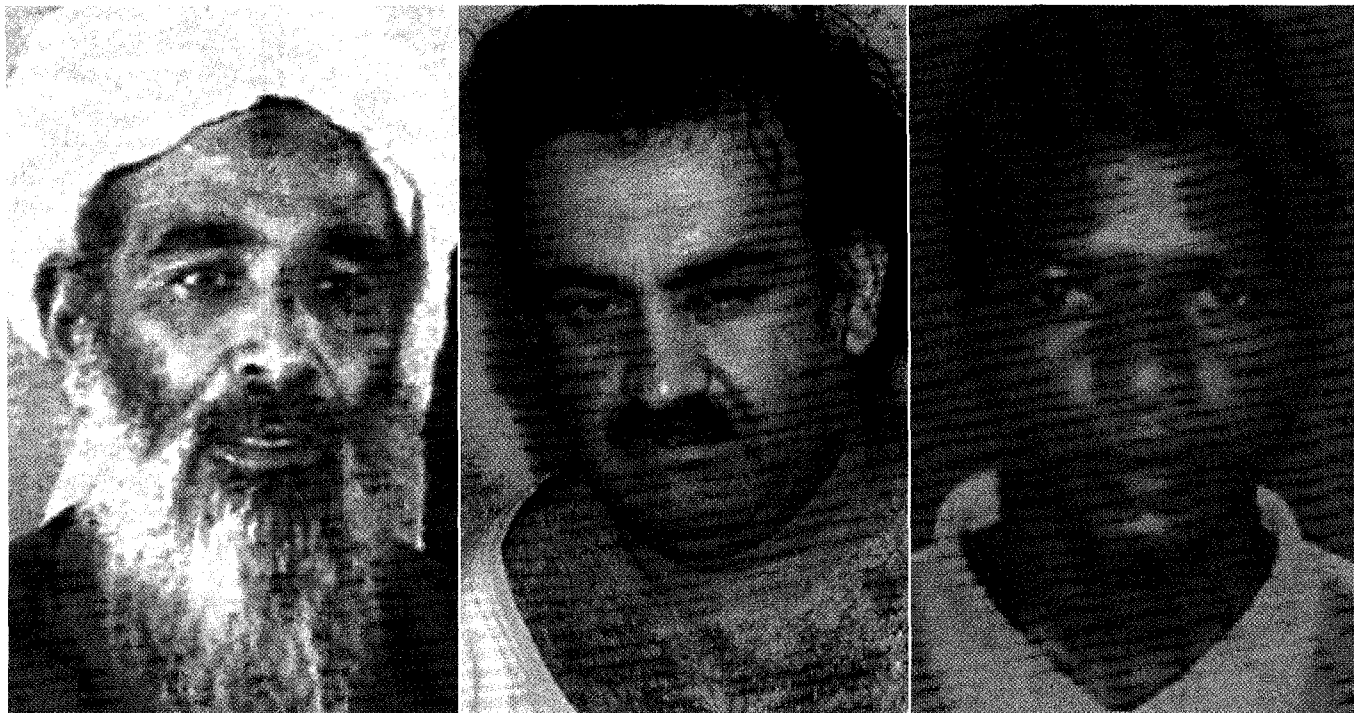
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1. Santa Cruz v. Ashcroft, C-03-1802JF 2. Raich v. Ashcroft 9th Cir No 03-15481 3. "Marijuana and Medicine" Inst. of Medicine, 1999 4. TIME Nov 4 2002

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Dispatches



OK, That's Three: (from left) Mohammed Atef is believed dead; Khalid Shaikh Mohammed was captured; Ahmed Khalfan Ghailani has been indicted.

Figures of Speech

First, Bush said two-thirds of al-Qaeda's leaders had been neutralized. Then, magically, it was three-quarters. Both assertions are pure fantasy.

BY KAREN J. GREENBERG AND STEPHEN HOLMES

ONE OF JOHN KERRY'S STRONGER MOMENTS in the first presidential debate came when he explained that, contrary to what George W. Bush would still have had inattentive viewers believe, Saddam Hussein did not attack the United States. To this cold reminder, Bush snapped back defensively, "Of course I know Osama bin Laden attacked us. I know that." He also stumbled embarrassingly into the following boast: "Of course we're after Saddam Hussein—I mean bin Laden. He's isolated. Seventy-

five percent of his people have been brought to justice."

At the Republican convention in early September, Bush had recited this same talking point more carefully, speaking not of bin Laden's "people" in general but of "al-Qaeda's key members and associates." Before the convention, the White House had claimed that "two-thirds" of the "senior al-Qaeda and associated leaders, operational managers, and key facilitators" had been captured or killed. So, between the con-

vention and the first debate, somehow and without explanation, two-thirds had magically become three-quarters. What a coincidence: As the election drew nearer, the administration had upped its assessment of how many terrorists had been captured or killed.

But this touted "progress" in the war on terrorism seemed just as inexplicable as an increase from yellow to orange in the government's color-coded threat-advisory system. The Bush administration has become famous for its willingness to mine data selectively in order to garner support for its policies. So what about this impressive-looking 75 percent?

The consensus among experts is that this is a meaningless figure, plucked from the air to make the administration look more effective than it has been. No one can be sure about

the size of al-Qaeda, and therefore no one can possibly know what percentage of Qaedaits members have been captured or killed. In the shadowy and fluid world of transnational terrorism, moreover, originally independent groups frequently cooperate, morph, or merge into one another. This summer, London's International Institute for Strategic Studies, a leading source of information on global-security issues, made a stab at answering one version of the question. As a baseline, the institute used the 20,000 militants ostensibly trained in Afghan camps. Of these, the organization estimated that about 2,000 had been put out of commission. That makes exactly 10 percent—a decent number, but perhaps not high enough for an election year.

All told, official U.S. government Web sites since September 11 have listed 27 known terrorists.

So how many have been captured or killed? Three.

When Bush refers to 75 percent of bin Laden's "people," he presumably does not have the graduates of the Afghan training camps in mind. He must be referring to 75 percent of al-Qaeda's "top leaders" or "key members and affiliates."

To establish that 75 percent of "key al-Qaeda operatives and affiliates" have been captured or killed, we would have to know something we do not know: namely, how many key al-Qaeda operatives and affiliates were active at the beginning of the hunt. So how should we put Bush's boast to the test?

One way is to revisit the administration's own lists of "most wanted" terrorists. Two lists stand out. On October 10, 2001, the administration announced a most-wanted list of 22 suspected terrorists, headed by Osama bin Laden and Ayman al-Zawahiri and including Khalid Shaikh Mohammed and Mohammed Atef, along with 18 other individuals, most of them affiliated with al-Qaeda. On May 26, 2004, Attorney General John Ashcroft and FBI Director Robert Mueller asked the American public to help find seven suspected al-Qaeda members potentially in the

United States. Two of these seven had appeared on the original list of 22. All told, therefore, official U.S. government Web sites since September 11 have listed 27 known terrorists.

So how many have been captured or killed? Three.

One man on the list, Mohammed Atef, was apparently killed during the Afghan war, though the Department of Justice's "Rewards for Justice" Web site still lists him as "wanted." Two more of the original 27 are in custody. Khalid Sheikh Mohammed was captured March 1, 2003, and Ahmed Khalfan Ghailani, a Tanzanian, was arrested on July 25 of this year.

Three out of 27 makes 11 percent. So how *did* Bush come up with his 75-percent success rate?

Perhaps those who prepared his talking points were thinking of other al-Qaeda members arrested by Pakistan and Saudi Arabia. Perhaps they had in mind the three or four al-Qaeda members who are "in custody" in Iran. (At least one of them, Saif Al-Adel, was on the original list of 22.) Because the United States has no access to those held in Iran, however, and no guarantee that their communications with other members of al-Qaeda around the world have been cut, it seems a stretch to include them in a list of incapacitated al-Qaeda members.

To make matters worse, other "key members and affiliates" of al-Qaeda who were not on the original lists also remain at large. Two of the most prominent of these are Mullah Omar and Abu Musab al-Zarqawi.

Adding such well-known names to those on the administration's published lists, we can infer that at least 25 of bin Laden's "people" remain at large. If Bush's 75-percent figure is to have any meaning, then, it follows that about 75 key al-Qaeda operatives and affiliates must be known to have been killed or captured. The question is, who are (or were) these people?

Admittedly, a half-dozen known terrorists—Abu Zabaida, Ahmed Ressam, Ramzi Binalshibh, Hambali, Abd al-Rahim al-Nashiri, and Abu Issa al-Hindi—who were not on the original lists have also been captured or killed. But what about the dozens of others who must have been taken out if there is anything to Bush's 75-percent boast? Where are they? Some may be "ghost detainees" imprisoned around the world. If that is the case, how can we be sure that the administration, less famous for the accuracy of its intelligence than for its proclivity to praise itself undeservedly, has locked up the right men? How can we tell if its claims of a 75-percent success rate are believable or bogus? How can we be sure that Bush is not making an unverifiable assertion in the hope that uncritical listeners will be favorably impressed?

We can't. Without a reliable count of all key al-Qaeda operatives and affiliates, the president has no business throwing percentages around. His willingness to do so reveals, once again, his administration's proclivity to manipulate evidence for electoral gain.

It also reveals something deeper and more disturbing. In his scathing memoir, Richard Clarke recounts a conversation, not long after 9-11, in which Bush asked his staff for a chart of senior al-Qaeda leaders. "He announced his intentions," Clarke writes, "to measure progress in the war on terrorism by crossing through the pictures of those caught or killed." Bush seemed to believe that there existed a fixed number of al-Qaeda terrorists, and that the organization could be shut down by capturing or killing its members one by one. When Bush speaks today about 75 percent of al-Qaeda having been captured or killed, he is of course repeating what he has been told to say. But he is also expressing his own crude picture of the terrorist threat. He obviously believes, contrary to all historical evidence, that terrorist ranks will always be depleted and never replenished by the application of military force.

To expose Bush's dangerous failure to comprehend the war on terrorism, we need not rely on his severest critics; we can cite a member of his own cabi-

net. In the internal memo that he wrote on October 16, 2003, Defense Secretary Donald Rumsfeld admitted, "We are having mixed results with Al Qaeda." Speaking with much greater candor in this private communication than did President Bush before a television audience, Rumsfeld concluded: "Today, we lack metrics to know if we are winning or losing the global war on terror. Are we capturing, killing or deterring and dissuading more terrorists every day than the madrassas and the radical clerics are recruiting, training and deploying against us?"

But if Rumsfeld is right, why does the president go around brandishing phony percentages to convince the American electorate that he is succeeding in the war on terrorism? Of course, we know why. But we should not let the sheer fatuity of Bush's rhetoric distract us from the danger that his pitiful grasp of the terrorist threat poses to America's security. Terrorists attack soft civilian targets in order to lure a more powerful enemy into overreacting and alienating the wider community. This is why an effective counterterrorist campaign has to be conducted with great intelligence, lest it becomes

counterproductive, creating more terrorists than it destroys. When Kerry tried to make this elementary point in that first debate, Bush practically covered his ears.

By flaunting a precise percentage of bin Laden's "people" captured or killed, the president exposes more than his instinctive confidence that America can win the war on terrorism by knocking off terrorist leaders one at a time; he also reveals the fatal limits of his own understanding. Why does he seem so blankly unaware of the damage his calamitous adventure in Iraq has inflicted on America's national security? The reason is simple: Bush cannot see the disaster into which he has dragged us because he is clueless about our enemy's extraordinary capacity for self-replication; he simply cannot imagine that terrorist ranks will swell as our high-tech military fills Iraqi cemeteries with civilians, all under the eye of Arab satellite TV. ■

KAREN J. GREENBERG is the director of the Center on Law and Security at the New York University School of Law. STEPHEN HOLMES is a professor at the New York University School of Law.

The Israel Deal

Conventional wisdom: Israel wanted the Iraq War. Reality: When America is overextended militarily, U.S. support for Israel is inevitably weakened.

BY GERSHOM GORENBERG

IRAQ, IT'S TRUE, ISN'T PRECISELY Vietnam: Vietnam is hellishly hot and humid, whereas Iraq is infernally hot and dry; Americans aren't dying as quickly in Iraq as they did in Nam; the justifications used to pull the United States into Iraq have proven false even more quickly than the arguments for fighting in Southeast Asia did.

But the Vietnam comparison does help to undermine an oft-repeated canard about the Iraq entanglement: that it served Israeli interests. There's evidence disproving that myth, starting with the historical.

We should learn from Vietnam that when the United States is neck deep in a quagmire, it is unable to fulfill commitments to Israel, to provide a strategic umbrella, or to work for Arab-Israeli peace. Without solid U.S. backing, Israel is more likely to rely on its military than on diplomacy, with costly results. In May 1967, as Vietnam raged, Egypt moved its troops into the Sinai Peninsula and closed the Straits of Tiran, sparking the crisis that led to the Six Day War. Israeli Foreign Minister Abba Eban went to Washington on an urgent mission, seeking assurances that

the United States would support Israel if the latter were attacked and that it would open the straits—as per longstanding commitments. Pro-Israel as President Lyndon Johnson was, his response fell short of that. In a tense White House meeting, he read a statement (preserved in the Lyndon Baines Johnson Library and Museum in Austin, Texas) to Eban citing "constitutional processes" that stood in his way. Translation: With the United States sinking in Vietnam's mud, Congress wouldn't approve military action elsewhere. When Johnson did explore a congressional resolution allowing military action in the days after that meeting, his assessment proved true.

LBJ's paralysis convinced Israel that to survive, it had to act on its own, and quickly. On June 5, 1967, it launched its surprise attack. Despite wild hopes at the time, the Israeli victory did not push Arab countries to make peace; instead, it deepened the conflict and entangled Israel in its own quagmire in the occupied territories. Again, the United States had little diplomatic leverage, this time to press for peace. As Secretary of Defense Robert McNamara stated ruefully three days after the war ended in a National Security Council committee meeting, "Israelis won't ever depend on [American] guarantees. Eban [was] given [a] lesson in U.S. constitutional processes, and he won't ever forget it." Only after a series of missed diplomatic openings, another disastrous Israeli-Arab war in 1973, and the U.S. exit from Vietnam did the United States turn its energies to Middle East peace efforts, eventually brokering the Israeli-Egyptian peace treaty in 1979.

Fast-forward to 2004. Bugged down in Iraq, the Bush administration, despite its pro-Israel talk, is AWOL from Israeli-Arab diplomacy. Openings such as the brief tenure of pro-peace Palestinian Prime Minister Mahmoud Abbas (Abu Mazen) in summer 2003 have been squandered as the administration devotes its limited diplomatic abilities to trying to salvage its Iraq strategy. Meanwhile, Israelis and Palestinians continue to die.

But historical precedent is just one hole in the conventional wisdom that invading Iraq was a benefit perform-

ance for Israel. Another is that Israel was deeply wary of the war. Before the invasion, Iraq was not at the top of Israel's concerns, and Israeli warnings about how things could go wrong were ignored by the Bush administration. Now, Israel is likely to suffer lasting consequences from the Bush team's mistakes. Put simply, if U.S. conservatives used Israel as justification for the war, it was either because they insisted on a superficial reading of Israel's needs or because Israel served as one

democratization of the Middle East and worried that the United States was underestimating the difficulties in invading Iraq.

Israeli experts tell a similar story. Ofra Bengio, a Tel Aviv University scholar of contemporary Iraqi politics, argued before the invasion that Saddam Hussein had become a changed figure since the 1991 Gulf War, that his regime was steadily collapsing, and that he was willing to make concessions to hold on to power. One place she pre-

researcher Shlomo Brom of Tel Aviv University's Jaffee Center for Strategic Studies, formerly head of strategic planning in the Israeli army's general staff. Therefore, he says, "There was no urgency to dealing with Iraq."

In addition to doubting the Iraqi threat, Israeli academic experts also publicly questioned the Bush administration's assumption that a quick military victory over Hussein's troops would finish the fighting. I heard similar doubts about American overconfidence from within the Israeli army. In early April 2003, in the midst of the invasion, an Israeli colonel with a top role in strategic planning told me about a State Department conference on "the day after" in Iraq in which he had participated a few weeks before. "I asked the Americans, 'What happens if tomorrow morning you run into fedayeen [guerrillas]?' They hadn't thought of that," he told me, bemused, as we stood at a checkpoint intended to keep terrorists from crossing from the occupied West Bank into Israel. "They didn't think about the possibility that they'd conquer it, and then terror would begin as resistance to their army."

Since then, Iraq under U.S. occupation has come unraveled. The consequences extend beyond Iraq's borders. To start with, says Bechor, while the United States promised democracy, the invasion shattered the social order and unleashed ethnic rivalries. "The American concept of democracy," he says, is now perceived in Arab countries as "a danger to watch out for," more likely to lead to chaos than democratization.

Likewise for the hope that overthrowing Hussein would reduce terrorism in the region. Iraq is at risk of becoming "a black hole of terror. You can see it already with al-Qaeda and its local version, [Jordanian jihadist] Abu Musab al-Zarqawi," says Bechor. Without a strong regime, other terrorist groups may also find a haven. "Hollow" Arab countries—defined by a border on a map but lacking central authority—have historically posed a terrorist threat to Israel.

The disintegration in Iraq is also fueling tensions in neighboring countries, sparking chain reactions that hurt Israel. Turkey, for instance, has been



What a Whopper: Iraq wasn't a major Israeli concern, and the war has made Israel less safe.

more pretext for a policy that had become an *idée fixe*.

"The idea that the Iraq War was in any way driven by Israel's agenda I always thought was really quite bizarre," says Patrick Clawson, deputy director of the Washington Institute for Near East Policy. Clawson recalls that in the two years before the war began, "a stream of high-level Israeli officials" passed through his think tank, and "we heard consistently that Iraq was not Israel's priority, that even when it came to weapons of mass destruction and support for terrorism, Israel was much more concerned about Iran than about Iraq." Clawson says the Israeli officials made this view clear in discussions with "some of Israel's closest friends in the United States, including neoconservatives." In addition, Clawson says, the Israelis were skeptical about quick

sented her analysis—where it was ignored—was at the CIA in October 2002. She also spoke at the Pentagon, where, citing Iraq's history and ethnic conflicts, she challenged administration claims that the country could be turned into a democracy overnight. Again, her warning was ignored.

"Iraq under Saddam made lots of noise, bells ringing," adds leading Middle East analyst Guy Bechor of the Interdisciplinary Center in Herzliya, "but it did very little against Israel. Particularly after the Gulf War, it was clear to me that it had no weapons of mass destruction." Other experts describe Iraq as having been a distant threat, years down the road, and only if Hussein held on to power and United Nations sanctions ended. Iraq "was not a true danger to Israel. It had the potential to develop into a danger," says

Israel's key strategic ally in the region. Now, though, Ankara fears Kurdish autonomy in northern Iraq and worries about a revival of close relations between the Kurds and Israel that existed in the 1960s and '70s. The result, says Bechor, is that Turkey is seeking better ties with Syria and Iran, which also have a "Kurdish problem," at the expense of Israel. On the surface, Turkish coolness toward Israel comes from the Islamic government of Prime Minister Tayyip Erdogan. In fact, Bechor says, the change is sanctioned by the army, the real power in Turkey.

Uncertainty in Iraq also threatens Jordan, another country with close ties to Israel. "If there's a Shiite state on their border, it's bad for them," says Bechor. "If there's a terrorist state, it's bad for them." And a terrorist haven in Iraq may encourage the Islamic extremists fighting the Saudi regime—hardly a friend of Israel, but better than those who would take its place.

Looking forward, the question is whether anarchy will continue in Iraq or be replaced by some form of stable gov-

ernment. No one in Israel expects a democracy; the best outcome, some analysts in Israel suggest, would be a pro-Western autocracy like Egypt. Given Iraq's Shia majority, Bechor argues, the most likely scenario is a Shia regime in part or all of Iraq, "more dangerous than Saddam's regime of rhetoric." It could be intensely anti-Israel, might join forces with Iran, and could even bring Iranian nuclear weapons closer to Israel.

In the meantime, Iraq continues to sap U.S. energies, weakening U.S. deterrence elsewhere. A case in point, Clawson says, is Iran: Tehran can see that the United States is less able to create a diplomatic coalition or take military action to stop the Iranian nuclear program—which has been Israel's real concern all along. Iran's recent testing of its Shihab-3 missile, reportedly capable of reaching Israel, can only increase Israeli fears.

But Israel's most immediate problem is the conflict with the Palestinians, which cannot be resolved without intense U.S. diplomatic involvement. As long as the United

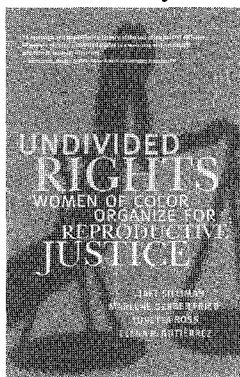
States is tied down in Iraq, argues Brom, it won't be able to invest energy in reviving Israeli-Palestinian peace efforts. "Attention is also a limited resource," he argues. For anyone interested in ending the bloodshed of the past four years, he says, a distracted America is bad news.

The Iraq experience confirms the lesson of 1967: When an American administration is overextended militarily and politically, its support for Israel is weakened. But American adventures in Iraq are worse for Israel than were those in Vietnam. That's because, this time around, the Bush administration's misadventure is destabilizing Israel's immediate neighborhood. Justifying the war in Israel's name can be added to the long list of other justifications that have proven hollow—and to the evidence of how badly the Bush administration has understood the Middle East. ■

GERSHOM GORENBERG is a Prospect senior correspondent. He is the author of *The End of Days: Fundamentalism and the Struggle for the Temple Mount*.

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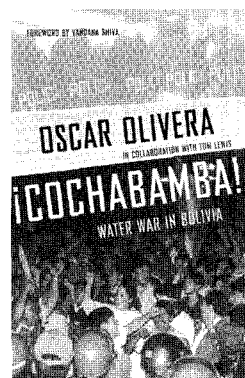


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It's Your Money They're Wasting

BY ROBERT S. MCINTYRE

In September, my group, Citizens for Tax Justice, released a major study on corporate tax avoidance. We looked at 275 of the largest and most profitable Fortune 500 companies and found that almost a third managed to pay nothing (or less) in federal

income taxes in at least one of the first three years of the Bush administration. Over that period, the 275 companies reported \$1.1 trillion in pretax U.S. profits to their shareholders, but told the IRS that they'd made less than half of that. One company, General Electric, enjoyed \$9.5 billion in tax breaks over the three years. And the lion's share of the blame for these outrages, and the concurrent collapse of corporate tax revenues, can be placed on President Bush and the GOP Congress, which put huge new corporate loopholes in place while refusing to crack down on offshore corporate tax sheltering and other abuses.

Our study generated headlines nationwide. But the reactions from corporate America and our lawmakers have been underwhelming. Only a few corporations have challenged our figures directly, and for good reason: All of the information in our study came straight out of their annual reports. My retort to companies that say they didn't avoid paying taxes is, are you lying now or were you lying in your audited financial statements?

Which is not to say that some companies didn't complain in other ways. For instance, Boeing's annual report shows that it not only paid no federal income tax, it actually received tax rebates—i.e., checks from the Treasury—of more than a billion dollars over the 2001–03 period. Boeing insisted to *The Washington Post*, however, that we could have computed its tax bill as \$1.3 billion had we merely counted \$2.3 billion in taxes it *didn't* pay due to loopholes.

Likewise, United Technologies weirdly defended its 1.1-percent tax rate over the 2001–03 period by pointing out to *The Hartford Courant* that it “spent heavily on deductible items in the years covered by the study.”

Wachovia, which was featured in a PBS special earlier this year about the bank's massive tax-sheltering activities, acknowledged that it got a tax rebate of \$164 million in 2002 despite \$4.1 billion in pretax U.S. profits. Yet a company spokeswoman told the *Winston-Salem Journal* that “Wachovia is committed to paying its fair share of taxes.”

Many companies complained it was unfair for a study

called “Corporate Income Taxes in the Bush Years” to focus on the years that Bush has been in office. Pepco, Washington, D.C.'s electric utility company, conceded that it received federal tax refunds in 2002 and 2003, but said it did pay taxes immediately prior to the Bush presidency. An official with Graybar Electric, which received a tax rebate in 2003, begged for a longer time perspective. “Graybar did not owe any tax for the year 2003,” she admitted, but “Graybar has paid ... a very significant amount over the course of its 100-plus-year history.”

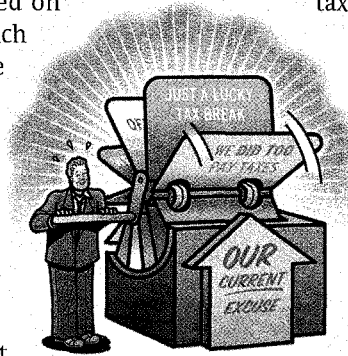
Our report also detailed how the companies that received the biggest tax breaks under Bush sharply reduced their new investments in new plants and equipment—in fact, by a lot more than the overall drop nationwide.

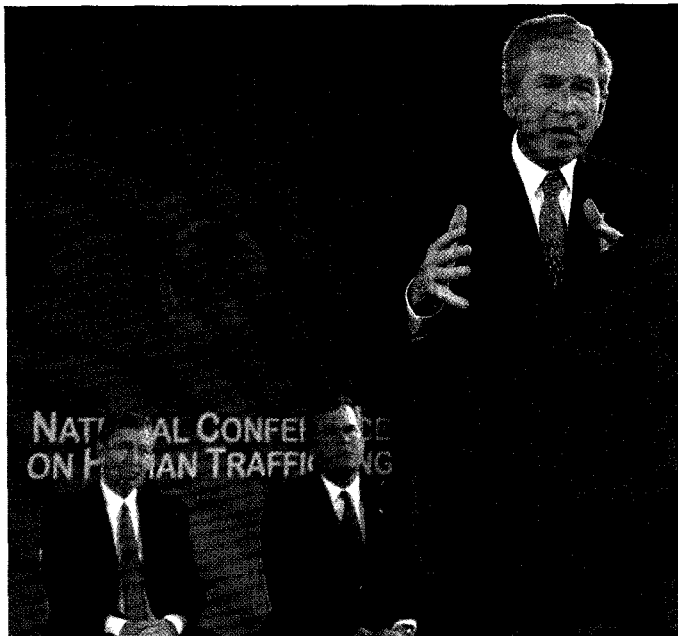
A typical corporate response to this seeming failure of Bush's so-called incentives came from SBC Communications, which used Bush's tax breaks to cut its income taxes to

less than zero in 2003 (even as it slashed its capital outlays by 53 percent). According to *The Washington Post*, a vice president for SBC “acknowledged that capital investment has fallen, but he blamed heavy regulatory disincentives that outweighed any tax breaks for the company's investment decisions.” That's exactly our point: Companies don't lobby Congress for tax breaks that will force them to change their behavior; they lobby for tax breaks that pay them for doing what they would have done anyway.

Are politicians in Washington upset about the news that average Americans pay more in taxes than some of our biggest companies? Hardly. As a spokesman for GE, America's most tax-subsidized company, happily told *The Hartford Courant*, the Citizens for Tax Justice “study takes a different view on tax policies than the government does or we do.” Indeed, rather than cracking down on abuses, Congress has just passed still another huge collection of special-interest corporate tax breaks. As usual, the bill's single biggest winner is the company that lobbied the hardest: GE. ■

ROBERT S. MCINTYRE is the director of Citizens for Tax Justice.





The Two Oldest Professions: President Bush's interest in the problem is sincere, but some critics see new regulations as a sop to the religious right.

Of Human Bondage

A coalition against human trafficking worked well until a prostitution litmus test was imposed. Now, groups are losing funding—and the women aren't necessarily better off.

BY TARA MCKELVEY

ON AUGUST 6, CHRISTINA ARNOLD FOUND HERSELF IN SVAY Pak, Cambodia, an area full of wooden shacks, bars, and brothels 11 kilometers from the capital city of Phnom Penh. Arnold, the 29-year-old director of Project Hope International, a nonprofit organization committed to assisting survivors of human trafficking, had traveled there to visit with social workers, health-care workers, and others who help prostitutes. It's exhausting and grim work; many of the prostitutes are children (as young as 6) servicing Western tourists who hang out at the Home Away from Home café and prowl the area for "small-small," as the young girls are known.

For years, the health-care educators and social workers had worked closely with the children, who are living "by hook or by crook, doing tricks," says Arnold. They tried to teach the girls how to care for themselves. "They would tell the children, 'You will get out of this. There's a way out,'" says Arnold. "In the meantime, here's how to use a condom."

But that was before University of Rhode Island professor Donna Hughes started accusing nongovernmental organizations of teaching children "how to be prostitutes." On April 3, 2003, she testified before the Senate Foreign Relations Committee, saying, "It is unacceptable to provide medical services and condoms to enslaved people and ignore the slavery."

Her words had a chilling affect on health-care workers in Svay Pak. "We were standing on a muddy street, talking to a

woman who works for one of these organizations," says Arnold. "We asked, 'So you're not able to deal with children?' 'No, not at all,' she said. 'Unless we want to get shut down.' She looked very upset, and she was holding her face in her hands. The children there are very confused. NGO workers told us pedophiles now know they can go and have unprotected sex with children because the health-education programs have stopped." Arnold paused, then added, "And when children come to the NGO workers and ask for help, they are being turned away."

The woman Arnold spoke with has already lost some funding, and her situation could become even more precarious. Three days before Arnold spoke with her, the U.S. Agency for International Development's Office of Acquisition and Assistance issued new guidelines, which took effect immediately, for international organizations that receive federal funds to fight the trade in human trafficking, a problem that has exploded in the last 10 years. The organizations are not allowed "to promote, support, or advocate for the legalization or practice of prostitution."

On its face, this proposition does not sound as if it should be controversial. But the regulatory change has sparked an intense debate within the coalition of groups—left, right, and nonpartisan—that has been working together since 1998 to fight human trafficking. Some, like Arnold, believe the change prevents groups from doing any outreach at all that

will help girls trapped in prostitution. Others see the change as a sop to the religious right, which has taken an undoubtedly sincere interest in the problems of trafficking and slavery, but which, to critics, is creating a rift in a coalition that was working smoothly by imposing its value system in a manner that's alienating groups that used to get along—and that isn't necessarily helping the women it's designed to help.

How you feel about prostitution, say program officers, field workers, and human-rights advocates, has become a litmus test for the Bush administration. If you don't have the right views, you're not going to get any money. Or, as one person who works for an NGO describes the new policy, in a phrase that might have a familiar ring to students of the administration's anti-terrorism rhetoric, "You're either with us or you're against us."

SITTING IN A CORNER OFFICE AT 18TH AND G STREETS IN Washington, D.C., John R. Miller, 66, a dapper man in a crisp suit and navy suspenders who is director of the U.S. State Department's Office to Monitor and Combat Trafficking in Persons, waves his hand in the air and swoops in so close when he talks that you can feel his breath on your skin. His office is large and comfortable, filled with chairs upholstered in royal blue, an American flag, and a framed red-and-white Solidarnosc poster given to him by a Polish friend.

"There are plenty of Americans who still say, 'Slavery? Didn't that end with the American Civil War?'" says Miller, a former Republican representative from Washington state, explaining how he has worked hard to raise awareness of human trafficking since he joined the State Department in December 2002.

As he talks, he picks up a glossy edition of the "Trafficking in Persons Report," issued on June 14, and flips through the pages. As the report explains, 600,000 to 800,000 men, women, and children—roughly half under the age of 18, according to estimates—are trafficked each year across national borders. They're forced to work for little or no pay in places like India's brick kilns, Colombia's army barracks, and Cambodia's bordellos.

The problem of human trafficking has existed since, well, forever. But it ballooned in the 1990s after the crumbling of the Soviet Union. At the time, borders became more porous in central Europe, and the trade in humans boomed. These days, human trafficking follows roughly the same routes as weapons and narcotics.

Left unchecked, human trafficking will become the most lucrative of the three criminal industries within 10 years, Deputy Secretary of State Richard Armitage said at a trafficking conference in February 2003. Profits flow to the people who smuggle women across borders and to those who press them into servitude. It can be more lucrative than narcotics: If you're a

dealer, you can only sell a bag of cocaine once; if you're a pimp, you can peddle your wares over and over again.

The annual State Department report, which first appeared after the passage of the Trafficking Victims Protection Act of 2000, evaluates how effectively 140 different countries are fighting trafficking, prosecuting criminals, and supporting programs that protect victims. Cuba and North Korea are in "Tier 3," which means the United States may withhold nonhumanitarian assistance until they get their acts together. (The United States is not ranked in this report.)

Besides publishing an expanded edition of the report, Miller has overseen an increase in the percentage of "faith-based" organizations that receive funding (from 7 percent in 2002, according to Caroline Tetschner, a State Department spokeswoman, to 22 percent in 2003); made sure funding is denied to international organizations that do not follow strict guidelines in opposing prostitution; and encouraged changes in the Uniform Code of Military Justice, which will soon forbid military personnel from patronizing prostitutes.

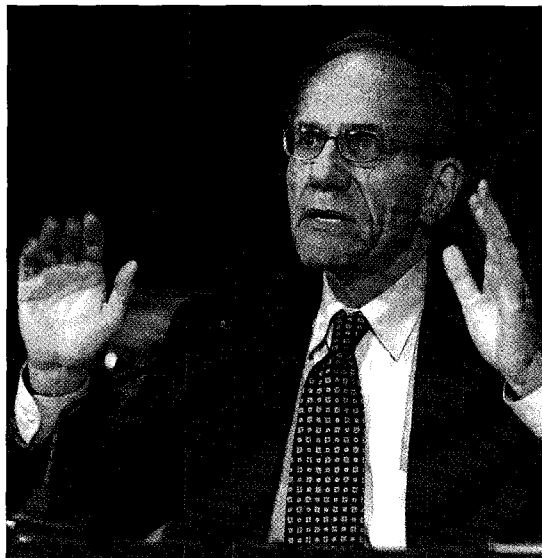
Overall, the Bush administration has devoted more than \$295 million in anti-trafficking program assistance in more than 120 countries, according to the State Department. More than 2,800 people around the world have been convicted of trafficking-related crimes in the past three years, and 24 countries have enacted new anti-trafficking legislation. One of George W. Bush's favorite U.S. programs is the International Justice Mission (IJM), which is run by Gary Haugen, 41, author of *Good News About Injustice*, and Sharon

Cohn, 34, the organization's vice president of interventions, who has overseen brothel raids in Cambodia.

IT'S IMPRESSIVE STUFF. BUT HUMAN-RIGHTS ACTIVISTS, program officers, and health-care educators who work to help trafficking victims describe a dark side to the "abolitionist" movement. The movement's most prominent figures include right-wing policy-makers, a Jewish "moral entrepreneur," and evangelical leaders, whom critics call overzealous and moralistic. Together, the "abolitionists" have formed a potent political force ("It's the most powerful coalition for human rights in America today—perhaps in the world—all under the radar screen of the press," says one of its adherents) known for steamrolling opponents and stifling dissenting voices. Some say they're even snuffing out organizations that don't adhere to a party line regarding prostitution.

Organizations are denied funds if they refuse to sign a "loyalty oath," as one senior officer with an NGO describes a new clause on federal-aid contracts that require grant recipients to say they oppose prostitution.

In addition, Bush's most celebrated programs, including the IJM, are scorned by anti-trafficking activists in places



As the Miller Told His Tale: John R. Miller testifies before the Senate.

where they operate. A brothel raid led by the IJM last May in Thailand resulted in the freeing of 29 women. But the women were arrested, and to some, it didn't feel much like freedom. "The women became very annoyed when told they had been 'rescued,'" say the authors of a Shan Women's Action Network report. "They said, 'How can you say this is a rescue when we were arrested?'"

And though the particular fates of these 29 women are unclear, experts say it's often the case that when prostitutes—many of whom come from the notorious Shan State in Burma (now officially called Myanmar), where systematic rape and human-rights abuses are common—are "freed" from Thai brothels, they end up in a worse situation. Legally, these women cannot claim refugee status in Thailand. "After 'rescue,' their situation will be made known to Burmese authorities, local village officials and family members," according to the report. "Under these circumstances, a safe and beneficial return home is impossible."

For Cohn, the important thing is freeing women and children from bondage. She speaks convincingly about the horrors of being "serially raped," especially if you're a 6-year-old child. And she's proud of the fact that, so far in 2004, the IJM has saved 152 victims of child sexual exploitation and trafficking. IJM officers try to follow up with the women and children they've saved and make sure they're OK, she says.

Regarding the Thailand episode, Cohn says: "It's probably safe to say we have a different perspective of the raid. Seven underage girls were rescued. If there's even one girl, she'd still have the right not to be raped day and night."

Miller has run into opposition not just from the usual suspects among on-the-ground advocates from NGOs. People within the State, Justice, and other departments have become incensed. Recently, Miller has expanded his reach to the Department of Defense, which will change its military code so soldiers can be court-martialed for visiting a prostitute.

And there have been minor diplomatic dustups. The "Trafficking in Persons Report" contained a case study of a 15-year-old Thai girl taken to Tokyo and raped in a karaoke bar. The report concealed the girl's real name and called her "Sirikit." As it turns out, Sirikit is the name of a venerated Thai queen, and it wasn't pleasant when news of this goof reached the Thai press. "Oh, my gosh, it was terrible," says Miller, nearly climbing out of his chair. "It's embarrassing. We had to send them an apology."

On a more serious level, people who've met Miller and worked with his staff say he's created an atmosphere of fear and intimidation. Some people have suffered recriminations, been "blacklisted," or lost their funds. Yet according to several sources, none of whom was at all willing to speak on the record, Miller isn't even the kingpin.

THE MUSCLE GUY IN THE "ABOLITIONIST" MOVEMENT IS Michael Horowitz, 66. A Jewish kid from the Bronx who went to City College and then to Yale Law School, Horowitz served as general counsel for the Office of Management and Budget

under Ronald Reagan, and is now a senior fellow at the Hudson Institute in Washington. Referred to by author Allen Hertzke as a "moral entrepreneur" in Hertzke's newly published book, *Freeing God's Children*, Horowitz is the one, activists and program officers say, who calls the shots.

The other leading figures are Charles Colson, a former Nixon counsel and an influential evangelical leader; Donna Hughes, the University of Rhode Island professor whose congressional testimony helped lay the groundwork for the August 2004 change in federal contracts and who writes articles on the subject for the *National Review*; Laura Lederer, a former anti-pornography crusader; and Lisa Thompson, a trafficking specialist with the Salvation Army. "Horowitz is the Charlie to their Angels," says an administration official.

Last year, Horowitz, Colson, and others decided to oust Miller's predecessor, Nancy Ely-Raphael. She was an "apparatchik," says Horowitz. "She was just a nice Ferragamo-wearing lady," counters a former Republican staffer on the Hill.

Regardless of Ely-Raphael's taste in shoes, Horowitz, Colson, and other evangelical leaders told the White House to dump her. They wanted to install Miller—even though Karl Rove didn't like him, according to a private e-mail footnoted in the Hertzke book. Rove objected to Miller because he'd supported John McCain in 2000.

In a show of strength, Horowitz and Colson prevailed over Rove, who allowed them to anoint Miller as director of what would soon become the "abolitionist" outpost in the State Department. These days, Miller is in close contact with speechwriter Michael Gerson and others in the White House. "They've told me how concerned he [Bush] is about this issue, and they call me up a lot," says Miller.

And, apparently, they take notes. In Bush's September 23, 2003, speech at the United Nations, says Miller, "he spent 20 percent of his speech" on trafficking. Bush talked about trafficking on the campaign trail on July 16 in Tampa, Florida, and again at the UN on September 21. Bush's focus on trafficking is a victory for Horowitz and evangelical leaders in their efforts to influence U.S. foreign policy.

"It's the second act in what is a seven- or eight-act play," says Horowitz.

The dramatic arc of the play, at least according to Horowitz, includes the International Religious Freedom Act of 1998; the Sudan Peace Act of 2002; the North Korea Human Rights Act of 2004, which has been passed by Congress; and an upcoming bill that will alter foreign policy so its main objective will be "the collapse of dictatorship through peaceful means and the promotion of democracy," he explains.

In terms of scope, financial resources, and the president's attention, though, the anti-trafficking initiative may be the "abolitionists'" crowning achievement. The campaign took off in January 1998, when Horowitz began to forge bonds with evangelical leaders like Colson and feminists such as Gloria Steinem and Jessica Neuwirth of Equality Now. They all worked together on a global campaign to fight trafficking and, along with it, prostitution.

"The 'abolitionists' truly believe all prostitution is traf-

**For women who are
"rescued" and sent
back to Burma, "a safe
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SPECIAL REPORT: EARLY CHILDHOOD

STARTING YOUNG

The case for investment in America's kids

EDWARD M. KENNEDY

BARBARA BEATTY

DAVID L. KIRP

DICK MENDEL

HELEN BLANK

RICHARD ROTHSTEIN

ROSS A. THOMPSON

JOAN FITZGERALD

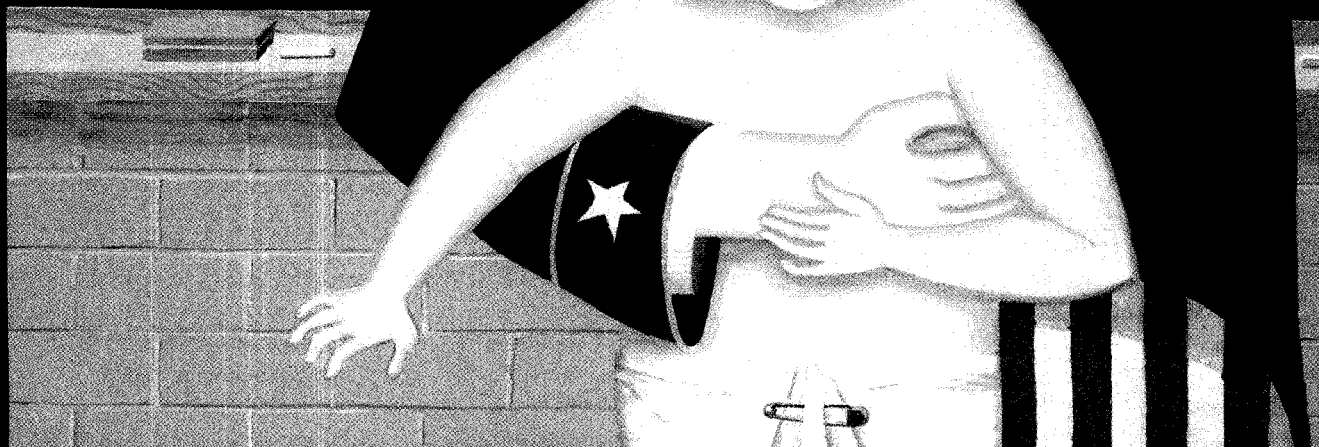
DAPHNE HUNT

JOAN LOMBARDI

MARCIA K. MEYERS

JANET C. GORNICK

VALORA WASHINGTON



Keeping Faith With Our Children

Why early-childhood education is the best investment we can make

BY SENATOR EDWARD M. KENNEDY

EDUCATION FOR ALL IS A DEFINING value of our country, and living up to it takes more than lip service. It takes dedication, hard work, and financial commitment. It means working in partnerships to create the best federal, state, and local policies to increase educational opportunities for all. It also means starting early.

States across the nation have begun to recognize the importance of significant investments in early-childhood education. More states are following the lead of Georgia, New York, and Oklahoma by enacting initiatives that call for universal preschool education. Massachusetts has recently laid the foundation for early education for every child in the state; West

Virginia passed a law pledging preschool education for all 4-year-olds in a decade; and Florida voters adopted a constitutional amendment mandating the same, sooner. But to fully realize this defining national value, it will take sustained and inspired *federal* leadership—of the kind that is lacking in Washington today.

Nevertheless, the movement is accelerating in many states because of advances in understanding of how very young children develop, and of how profoundly their earliest years affect the rest of their lives. An impressive National Academy of Sciences study led by Dr. Jack Shonkoff at Brandeis University, *From Neurons to Neighborhoods: The Science of Early Childhood Development*, makes the case: If we fail to meet

children's developmental needs starting at birth, we shortchange our children and our society as well. That's the impetus for the newly launched National Scientific Council on the Developing Child, chaired by Shonkoff.

We need to invest in early education if we are serious about improving student achievement, minimizing learning disabilities and emotional disorders, and ensuring that children arrive ready to learn on the first day of school, graduate from high school, attend college, and excel in the workforce.

Young children's potential rests heavily on the quality of the environment in which they learn, whether at home, in day care, or in a nursery-school classroom. When the environment is inadequate, gaps in achievement quickly widen, becoming increasingly difficult to overcome. In no other area is an ounce of prevention worth so many pounds of cure.

Today in America, far too many of our nearly 20 million children under 5

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Building a movement on behalf of young children
By Valora Washington

This special report of *The American Prospect* is dedicated to the memory of Irving B. Harris—friend, visionary, and inspired champion of America's children.

We gratefully acknowledge the Schott Foundation for Public Education for co-sponsorship of this report. Moving Ideas, a project of *The American Prospect*, has collected further resources about early-childhood development at www.movingideas.org/issuesindepth/childdevelopment.html

don't receive the nurturing they need to learn and grow. Sixty-two percent spend time each day in the care of someone other than their parents—some in preschool, others in child-care settings that are too often substandard.

Years ago, the Perry Preschool Project in Michigan and North Carolina's Abecedarian Project began to identify solutions. Those proven programs demonstrated that high-quality early education makes a significant difference in a child's future. We have learned, too, that investments in training, professional development, and fair compensation for the early-education workforce are essential for success.

A full range of action that addresses the physical, social, emotional, and cognitive development of children is the key to successful early education. Surely we can develop reasonable standards of quality for early-childhood education comparable to those for elementary-school education in the No Child Left Behind Act. At a minimum, we need to coordinate the wide variety of current programs and services for children so they share common priorities and the goal of school readiness.

We can't achieve high quality and success without a substantial financial investment. For four decades, Head Start has offered a helping hand to the nation's neediest families and children. By providing pre-academic skills and social skills, by guaranteeing needed medical and dental care, and by teaching families about nutrition and the role of a balanced diet in a healthy life and school success, the program ensures that nearly a million children a year get the support they need to begin school ready to learn.

In spite of its success, though, Head Start now serves only three out of every five eligible children in the nation, leaving 2.6 million eligible children and their families without the chance to reduce the severe impact of poverty on their future. But the Bush administration proposes changes that could undermine this proven program, including a contemplated cut of \$177 million from next year's budget.

Perhaps the best return is for our families and communities, who will see once and for all that we've done every-

thing possible to help a generation of young Americans reach their potential and fulfill their dreams.

The new Congress elected on November 2 should put this issue at the top of its education agenda. I will welcome the day when Congress gives the same priority in time and dollars to education for our very youngest children that it now gives to elementary, secondary, and college education. When

that day comes, we will have kept faith with our families, with our schools, and with the next generation.

I commend *The American Prospect* and its impressive group of authors for focusing on the importance of early-childhood education, the best investment we can make in the future of our country. ■

EDWARD M. KENNEDY is a U.S. senator from Massachusetts.

Past, Present, and Future

What we can learn from the history of preschool education

BY BARBARA BEATTY

THE MOVEMENT TO UNIVERSALIZE preschool education is not new. Americans have been attempting to get public support for educating our youngest children for more than 150 years. Why has it taken so long? What are the obstacles? And what do past successes suggest about promising strategies for the future?

In 1830, a petition to formally incorporate "infant schools" into the Boston Public Schools was rejected by the Primary School Committee. Opposing it, primary-school teachers said infant-school graduates were difficult to manage, while a mental-health specialist and child-rearing advice-givers argued that excessive early stimulation was damaging to children. Proponents, the women of the Infant School Society of Boston, complained that men had been insufficiently supportive of their plan.

Despite this setback, as historian Maris Vinovskis documents, many 3- and 4-year-olds in Massachusetts were attending public schools until the mid-19th century, toddling along after their older siblings, if teachers didn't protest. Their numbers declined as urban schools became more age-graded and academically standardized, and as ideology about the role of mothers and the sanctity of the private family became widespread.

When Elizabeth Peabody started the nation's first English-speaking public

kindergarten in Boston in 1860, she overcame resistance by emphasizing that German kindergarten founder Friedrich Froebel's felicitous sounding "children's garden" was an appropriate place for young children, not a school. The effort lasted only a year, however, because the superintendent thought it too costly. Nearly 30 years later, the Boston Public Schools incorporated privately funded "charity" kindergartens. But as with most urban kindergartens, they were seen primarily as programs for the children of the poor.

With the goal of bringing public kindergartens to "all the nation's children," Bessie Locke founded the National Kindergarten Association (NKA) in New York City in 1909. Not a professional educator, Locke avoided the internecine conflicts within the kindergarten movement and enlisted prominent businessmen, college presidents, and education reformers like John Dewey. Taking its case to Washington, the NKA persuaded the commissioner of education to let the organization establish and fund a Kindergarten Bureau within the U.S. Bureau of Education. But when Locke's attempts to get a kindergarten bill through Congress failed, she refocused her efforts at the state level, rallying local parent-teacher organizations, church groups, and governor's wives, and waging media campaigns. Money was always an obstacle, especially in rural areas and

in the South, as were state and local politics. In spite of these difficulties, Locke's efforts over four decades contributed to a 300-percent increase in the number of children nationwide attending public and private kindergartens.

IT TOOK NATIONAL EMERGENCIES to spur federal action for younger children. The Works Progress Administration sponsored Emergency Nursery Schools for 3- and 4-year-olds during the Depression, primarily as a job program for adults. Psychologists and nursery educators hoped that the public schools, where many of the programs were located, would adopt them. But as in Boston a century earlier, few public-school systems were hospitable

Comprehensive Child Development Act of 1971, which passed both houses of Congress with support from a coalition of psychologists, liberal politicians, and child-advocacy groups. But President Nixon vetoed the bill on ideological grounds, raising the specter of the "Sovietization" of the private family. As in the past, cost was a stumbling block.

Despite this frustrating record of fits and starts, evidence of the developmental benefits and cost-effectiveness of quality preschool education still mounts. And advocates have continued to press for change—most successfully at the state and local levels, where most policy experts agree the impetus for universal preschool education must come, with hopes for increased federal funding.

Over the years, it has taken national emergencies to spur federal action for young children. Today, enlightened states and cities are leading preschool reform.

to the idea. With the onset of World War II, new federal money was available for Children's Centers, some of which were open around the clock to care for Rosie the Riveter's kids. Once again, preschool educators hoped the programs would become permanent, but President Truman cut funding six months after the war ended.

Another perceived national emergency, the war on poverty, and new psychological research on the benefits of early education led to the founding of Head Start in 1965. As former Director Ed Zigler recounts, Head Start survived inflated expectations about raising IQ scores and resistance from some southern states over integration to become an iconic community-action program. Championed by Marian Wright Edelman of the Children's Defense Fund and Massachusetts Senator Ted Kennedy, Head Start benefited from large budget increases during the Clinton administration; even so, there are long waiting lists at many centers.

The closest the United States has come to getting a federal commitment to universal preschool education was Walter Mondale and John Brademas'

States have experienced varying levels of success. As of 2002, 40 states had some manner of publicly funded preschool programs, most targeted at children from low-income families but many inching toward universal models. In fact, there has been a 17-percent increase in children attending pre-K nationwide since 2001, according to a 2004 study by the Trust for Early Education, a preschool advocacy group.

Georgia, Oklahoma, and Florida have been at the vanguard. As David Kirp details on page A5, each of these states has pursued the goal of high-quality early education using different strategies. A decade ago, then-Governor Zell Miller launched Georgia's Voluntary Universal Pre-K initiative; by 1998, it was funding preschool for more than half of the state's 4-year-olds.

Oklahoma now offers preschool in public schools through the state education budget, thanks largely to bipartisan support and strong gubernatorial leadership. And in Florida, a unique citizens' initiative achieved passage in 2002 of a constitutional amendment requiring high-quality pre-K for every 4-year-old. That guarantee was soon

eviscerated in the Florida Legislature, however, leading Governor Jeb Bush to veto the initiative—a move supported by the original proponents. (The Legislature is being reconvened to address the quality mandate.)

Meanwhile, in a different model, court involvement in a school-finance lawsuit has mandated preschool education in underfunded districts in New Jersey.

A SURVEY OF STATE AND LOCAL reform efforts to date suggests that individual "policy entrepreneurs," to use political scientist John Kingdon's term, play very important roles in agitating for progress on the preschool front. In New Mexico, for example, Fred Nathan's small, "results-oriented think tank" was the force behind getting full-day kindergartens, as Anthony Raden has documented. In Florida, the passionate advocacy of former *Miami Herald* Publisher David Lawrence Jr. and Miami-Dade Mayor Alex Penelas has been enormously effective.

And in Massachusetts, Margaret Blood's Early Education for All campaign won commitment from the state Legislature in June for a universal preschool plan (to be phased in over 10 years). It envisions an independent early-education agency, quality controls, teacher development, and more. With high-profile media support, backing from the business community, and relentless lobbying, Blood hopes to hold the Massachusetts Legislature to its commitment. But this will require a sustainable, privately funded, independent organization—like a state-level NKA. And much depends on Blood, whose willingness to devote long hours to the goal resembles Locke's commitment to public kindergartens, and on the strong coalition Blood has assembled.

SOME CITIES, TOO, HAVE BEEN SUCCESSFUL at promoting public preschools. Begun in 1967 with federal funding, Chicago's two dozen Child-Parent Centers, located in inner-city neighborhoods, are run by the Chicago Public Schools. As in Oklahoma, the teachers have college degrees and early-childhood-education credentials. Im-

portantly, the Chicago Child-Parent Centers are part of a seamless continuum, from preschool through third grade, which provides coordination and continuity that is of great value to students and their families. And in the Boston Public Schools, the Lee Academy, a new public pilot school focusing on early literacy for 3-year-olds through third-graders, has just opened, pushed by teacher Jennifer Friedman and Harvard's Richard Weissbourd.

Still, opposition, concerns, and problems remain. Harking back to Richard Nixon's ideological stance, libertarian Darcie Ann Olsen of the Goldwater Institute opposes universal preschool education as an intrusion of the "nanny state" into the private family. Moreover, concerns continue to be voiced about the effects of stress and poor-quality programs on young children. Psychologist David Elkind worries about the "hurried," "miseducated" preschool child. Perhaps fueling these fears, the federal No Child Left Behind Act is putting pressure on preschools to become more academic and to institute testing for even the youngest children. Finally, limited funding and the low status of preschool teaching as a "women's" occupation will always be problematic. Here, economists, psychologists, and other researchers, along with college and university presidents, professors, and educators, have important roles to play in documenting the cost effectiveness of universal preschool education and providing better preparation for preschool teachers.

WHAT LESSONS DOES THIS brief overview of the history of preschool education suggest? The resistance to infant schools in Boston demonstrates that gaining support from the public schools (and even children's experts) can be difficult due to stubborn stereotypes, genuine concerns about quality, and competition from other programs. But the success of the Oklahoma initiative, Chicago's efforts, and the Lee Academy in Boston shows that gaining this support is possible with funding from outside or within, as long as other school programs aren't threatened and school personnel take initiative. To

avert the worries about "schoolishness" that hurt infant schools, public-preschool advocates must find ways to deal with accountability demands and still meet young children's developmental needs, a difficult balancing act.

Another lesson involves the importance of smart, strategic advocacy. The National Kindergarten Association demonstrated the effectiveness of having a nonpartisan, single-issue organization—think of an AARP for preschool education—that can serve as a national clearinghouse, provide coordination, and convey a compelling message. Ruby Takanishi of the Foundation for Child Development (FCD) has been mapping the progress of preschool education nationally and commissioning and disseminating state case studies. Similarly, the Pew Charitable Trusts fund the National Institute for Early Education Research at Rutgers University, directed by W. Steven Barnett, which produces an annual report card on preschool programs and publishes the latest research. Pew, the FCD, and others support the Trust for Early Education, while the Schott Foundation for Public Education and the David and Lucile Packard Foundation have also actively promoted universal preschool efforts. Yet the early-education field is still plagued by enormous fragmentation, with public agencies, nongovernmental organizations, and private foundations sponsoring, funding, overseeing, and running a huge range of disconnected programs and initiatives at all levels.

The success of state- and local-level

kindergarten and preschool campaigns demonstrates that legislators and taxpayers are willing to vote and pay for public preschools if they perceive clear, credible benefits. Conversely, the failure of national attempts to universalize preschool suggests that education must be the perceived and central purpose, although the actual programs that children attend provide both education and child care.

A FINAL LESSON REMINDS US THAT most successful preschool initiatives have enjoyed bipartisan support from broad-based coalitions of stakeholders from public and private sectors. Energetic, nonpartisan, politically savvy, individual policy advocates have played key roles in assembling and maintaining these coalitions, in promoting legislation, and in ensuring that programs are ultimately implemented in the interests of children.

As Bessie Locke once said, "politics are perplexing," and much hard-nosed politicking lies ahead, of the kind that makes some children's advocates uncomfortable. It took a long time to get public kindergartens for 5-year-olds, and almost half of public kindergartens are still half-day programs. Time's a wasting for 3- and 4-year-olds. ■

BARBARA BEATTY, *associate professor and chair of the Education Department at Wellesley College, is the author of Preschool Education in America: The Culture of Young Children from the Colonial Era to the Present.*

You're Doing Fine, Oklahoma!

The universal pre-K movement takes off in unlikely places.

BY DAVID L. KIRP

THIRTY YEARS AGO, THE NATIONAL movement for universal preschool came heartbreakingly close to success. But Richard Nixon's 1971 veto of such a measure—it "would commit the vast moral authority of the

National Government to the side of communal approaches to child rearing over against the family-centered approach"—proved to be Washington's last word. As this window of opportunity slammed shut, the debate shifted away from securing preschool for all,

focusing instead on expanding opportunities for children from poor families.

But across the country, the universal preschool movement is thriving. Unlikely champions—among them a conservative Democratic governor, an ex-newspaper publisher, and a billionaire oilman—have become activists. The appeal is partly altruistic (for children, it's the right thing to do) and partly hard-nosed economics (for society, it's a surefire investment in the future).

What's most surprising is that bedrock Democratic states aren't in the

This high-visibility approach worked: 59 percent of Florida's electorate voted for a constitutional amendment guaranteeing "high quality," universal pre-K by fall 2005. But the amendment left the Legislature with the assignments of defining "quality" and finding the money to pay for the initiative.

Last spring, the reluctant lawmakers opted for a dumbed-down program, passing a bill that met no one's standard of excellence. "They use money as an excuse," Penelas says, "but in reality they're influenced by religious child-

well as the program's, popularity.

By 1995, Voluntary Universal Pre-K was up and running. It survived a near-fatal attack from right-wingers who claimed it would "not tolerate religion" and would "discourage teaching methods such as learning ABCs and counting." Now, 57 percent of the state's 4-year-olds attend preschool, ranking Georgia second nationwide, and, unlike most states, it's a full-day program. "For generations, the South has followed the lead of Massachusetts and other states in innovative, forward-looking programs," boasts *Atlanta Journal-Constitution* columnist Jeff Dickerson. "With Pre-K, we're on top."

Still, Voluntary Universal Pre-K has its share of implementation snags. Enrollment has hit a plateau. Teachers are required to have only two years of college, despite research showing that teachers' education is crucially important to children's success. While the state monitors preschools, providing incentives for schools that meet higher standards, quality varies greatly. A local preschool administrator labels Pre-K a "public-relations masterpiece. I don't think it is the premium program in the country. The whole story is not numbers served; it is the quality of the services."

Georgia's problems are partly traceable to the fact that many preschools are private. It was hard to "combine [the for-profits'] business interests with our education interests," recalls Pamela Shapiro, formerly deputy director of the state's Office of School Readiness. "Four-year-olds are very profitable." Because Georgia badly needed classroom space, relying on private providers was a political and practical necessity. But private-school teachers' salaries are generally lower, and their turnover rates higher, than their public-school counterparts. *Atlanta Journal-Constitution* reporter Patti Ghezzi observes that "public schools generally do better than the chain [for-profit] providers and the mom-and-pop care places just can't compete." The fact that "mom and pops" proliferate in the poorest neighborhoods is worrisome, as those are the places where the kids need the most help.

Funding could become problematic. Relying on a lottery to pay for Voluntary



Pat the Money: Top-notch early-childhood programs don't come cheap.

vanguard. Instead, the national leaders are two socially conservative southern states, Georgia and Oklahoma.

In 2002, Florida's citizens voted to join that club. David Lawrence Jr., former publisher of *The Miami Herald* and a longtime advocate for early-childhood programs, championed the cause. After the Florida Legislature, dominated by right-wing Republicans, twice buried universal pre-K bills, Lawrence and Miami-Dade Mayor Alex Penelas decided to appeal directly to the voters. They launched a \$1.8 million campaign to convince Floridians that every child deserves a good preschool education. "I believe in universality," Lawrence says. "You'll never get to the promised land if you say it's about this or that neighborhood. The core principle is that all children need certain basics."

care providers who don't want accountability." Under considerable pressure from advocates for children's rights, Governor Jeb Bush vetoed it. Once again the matter is in legislators' hands, but they may not have the last word. "I want to retain the ability to litigate if we don't get high quality," says Lawrence. "That's what the people voted for."

GEOORGIA HAS DRAWN ACCOLADES for its universal pre-kindergarten program, the nation's first. In 1990, Zell Miller ran a successful gubernatorial campaign by proposing a state lottery earmarked for education, including pre-K. While the initiative was first aimed at poor children, that changed when the then-governor realized that making preschool "a program that would touch all Georgians" would boost his, as

Universal Pre-K was politically smart because it didn't require lawmakers to dip into tax dollars. But with Tennessee and South Carolina starting lotteries, there's concern in Georgia that its lottery will be less of a cash cow. Moreover, a growing share of lottery revenues underwrites the popular HOPE college scholarships. A new General Accounting Office report cites officials' fear that in a few years there won't be enough money to underwrite the entire Pre-K program.

THE BIGGEST SUCCESS STORY IS Oklahoma. The Sooner State is better known for its oil billionaires, football dynasties, and religious fundamentalists than for its social conscience. Yet largely because of the behind-the-scenes efforts of passionate bureaucrats, savvy state politicians, and public-spirited business leaders, Oklahoma ranks first in the nation in the proportion of 4-year-olds enrolled in pre-kindergarten classes. What's more, those classes meet stringent national standards for quality.

In 2000, when a bill establishing a public-private partnership to promote early-childhood initiatives was introduced in the Oklahoma Legislature, political leaders predicted easy passage. The measure had an impeccable pedigree. It was proposed by a task force chaired by a prominent Republican businessman and was backed by GOP Governor Frank Keating. Besides, it seemed innocuous: The partnership didn't require public funding and had only the power of persuasion.

But the far right saw matters differently. "When I ran, I thought I was Rush Limbaugh incarnate," jokes GOP state Representative Ron Peters. But then he heard what his ultraconservative colleagues had to say. The (Oklahoma City) *Daily Oklahoman* assailed the measure as promoting a "nanny state." Legislators called it a "socialist plot" to take over kids' lives. One lawmaker claimed that reading makes young children go blind, and another, noting that the new partnership would promote preschool for 3-year-olds, asked rhetorically, "Why not take them away in the hospital?" Flummoxed by the opposition, Keating threatened to veto his own bill.

Not until 2003, with Democrat Brad Henry in the governor's office, did the legislation become law.

Yet even as the troglodytes fumed, universal preschool was already a widespread reality. Unlike Georgia or Florida, where pre-K became front-page news, the Oklahoma strategy was to do good by stealth. In 1980, few people noticed when a pilot pre-kindergarten program crafted by Ramona Paul, now an assistant superintendent in the state's education department, was launched to serve children regardless of income. A decade later, little attention was paid when a seemingly technical change in the state's school-funding formula enabled districts to be reimbursed for educating all 4-year-olds. In 1999 another tweak, requiring districts to provide spe-

Oklahoma's pre-K rules are as stringent as any in the nation. There can be no more than 10 students for each teacher, 20 children and two teachers in a classroom. Teachers must have a bachelor's degree and be certified in early-childhood education. Because the program is run by the public schools, pre-K teachers earn as much as those who teach trigonometry. Moreover, educators and child-care specialists are coordinating their efforts. The state is one of very few with no waiting list for child care, and because the human-services department gives more money to day-care programs with better-qualified staff, the quality of care keeps improving.

These standards reflect a generation's worth of research on what works, and their implementation has made a

If conservative states can overcome "nanny state" vitriol and make universal pre-K a reality, can't others do the same in the interests of our nation's children?

cial pre-K programs rather than placing 4-year-olds in kindergarten, slipped through. "Only six people in the state understand that formula," jokes Bob Harbison, oil executive turned child-care activist, and one of them, deceptively easygoing Democratic Representative Joe Eddins, shepherded the measure.

Pre-kindergarten has quickly proved popular in Oklahoma. In 1992-93, 10 percent of all 4-year-olds were enrolled. This year, 63 percent of 4-year-olds and 509 of the state's 540 school districts are participating. "The reason early-childhood education initially caught on had nothing to do with superintendents being progressive," says a knowledgeable observer who declined to be named. The new money did the trick. "They learned how to buy jockstraps for the football team out of the formula for educating 4-year-olds," the observer says. But that attitude has changed, and now districts are spending their own money to expand preschool classes. "This isn't altruism," says Harbison. "Superintendents appreciate that investing at the front end is paying off educationally."

measurable difference. A 2004 study by Georgetown University professors William Gormley Jr. and Deborah Phillips shows that Tulsa's pre-K program has strong positive effects on children's language and cognitive test scores. The researchers hail Oklahoma as "an example of the success with which systematic, school-based initiatives can launch 4-year-olds on a promising trajectory." State officials recognize that the program needs to be strengthened—the biggest problem is that, for financial reasons, many districts offer only half-day pre-K and kindergarten classes—and that's high on the political agenda. There's also talk of a universal program for 3-year-olds.

"All great public policy comes out of passionate leaders," says Nancy Von Bargen, who heads the human-services department's child-care division and is herself one of those leaders. Without Ramona Paul and Joe Eddins, it's doubtful that universal preschool would have been widely adopted in Oklahoma. Governor Henry has made education the top priority of his administration. "We're tired of being last in a lot of

things in the nation," says first lady Kim Henry, a former teacher who spends most of her time promoting children's causes. "We want to do something big."

Prominent among these champions is Oklahoma oilman and banker George Kaiser. His estimated \$3 billion fortune makes him America's 56th-richest man, according to *Forbes* magazine, and he is investing a sizeable chunk of that money in early-childhood initiatives. Kaiser thinks about these issues philosophically. "America hasn't fulfilled its social contract that everyone has an equal opportunity at birth," he says. "I've wrestled for years with how we might do something to change that—to provide for a more mobile society." Stem-cell research prompted Kaiser to seek out interventions that start very early in a child's life. When he found an experimental program—the Abecedarian Project—that did so with proven long-term success, he decided to replicate it in Tulsa.

"Remember the Elvis Presley song 'In the Ghetto'?" Kaiser asks. "People, don't you understand," the lyrics go. "The child needs a helping hand / Or he'll grow to be an angry young man some day / Do we simply turn our heads / And look the other way?" Kaiser's not looking the other way. He's using his own money to leverage both public and private dollars; local foundations have signed on, and so have Head Start and the public schools. Kaiser has hired a legislative lobbyist and is underwriting teacher-education programs focused on infants and toddlers. He is committed to transforming the quality of education from birth to kindergarten—not just in Tulsa but statewide and, eventually, beyond.

In a parallel universe, George Kaiser's vision would be national policy. It exemplifies John Dewey's wise maxim that all children receive what a wise and caring parent would provide. But these days, Washington has no stomach for bold social initiatives. That's a shame, for the federal government has potentially greater resources to tackle this challenge, and with different priorities, Washington could make universal pre-K a nationwide reality.

The good news is that the states, at least some of them, are picking up the slack. Although progress is slow and uneven—most states still serve fewer than a fifth of their 4-year-olds—if conservative Oklahoma and Georgia can overcome "nanny state" vitriol and make universal preschool a reality, every state can do the same. ■

DAVID L. KIRP *teaches at the University of California, Berkeley's Goldman School of Public Policy. He is the author of Shakespeare, Einstein, and the Bottom Line: The Marketing of Higher Education. George Willcoxon and Cindy Czerwin, graduate students at the Goldman School, provided invaluable research assistance.*

Leave No Parent Behind

The most effective child-development programs work with kids *and* their parents. Why, then, do we leave so many parents behind?

BY DICK MENDEL

FORTY YEARS AGO, AS MARIAN Wright Edelman and her fellow pioneers at the Child Development Group of Mississippi were organizing sharecroppers, fending off Jim Crow, and cobbling together a model for the nation's Head Start program, Betty Hart and Todd Risley were up in Kansas City working on an early childhood program of their own. First, Hart and Risley designed a state-of-the-art preschool curriculum for children at the Turner House in Kansas City's impoverished Juniper Gardens neighborhood. The children made rapid progress, but when they were tested a year later, their vocabularies again lagged far behind those of better-off children. Hart and Risley tried other teaching strategies: an Afrocentric approach, field trips, structured discussions to help children integrate new experiences into their daily conversation. These efforts failed, too.

So Hart and Risley delved deeper into children's lives. For more than two years, the professors and their team paid monthly visits to 42 children as young as 7 months old—some from families on welfare, others from working-class and professional homes. They recorded every word spoken by child or parent, every gesture, every question. The results showed a contrast starker than Hart and Risley ever imagined: By

age 3, upper-income toddlers not only had vocabularies twice as large as the welfare children; they also had bigger vocabularies than the welfare *parents*. The data explained why: Affluent parents spoke an average of 487 words to their children every hour, compared with 301 words for working-class parents and 176 words for welfare parents. Extrapolated over the first four years of life, that meant well-to-do kids heard an astonishing 30 million more words than kids from the poorest families. What's more, affluent parents showered their children with encouragement, while welfare parents—reflecting the greater stress in their lives—offered less praise and more frequent criticism. By third grade, the children's success in school mirrored their vocabulary growth at age 3, which closely tracked the levels of positive stimulation by their parents. In fact, differences in parenting during the first three years were far more powerful predictors of children's success in third grade than socioeconomic status.

Hart and Risley weren't the first to suggest that parents play a crucial role in their children's success, of course. But their eye-opening data raise an important question: How can we hope to leave no child behind if we do not first help disadvantaged parents give their children richer and more positive support in the early years?

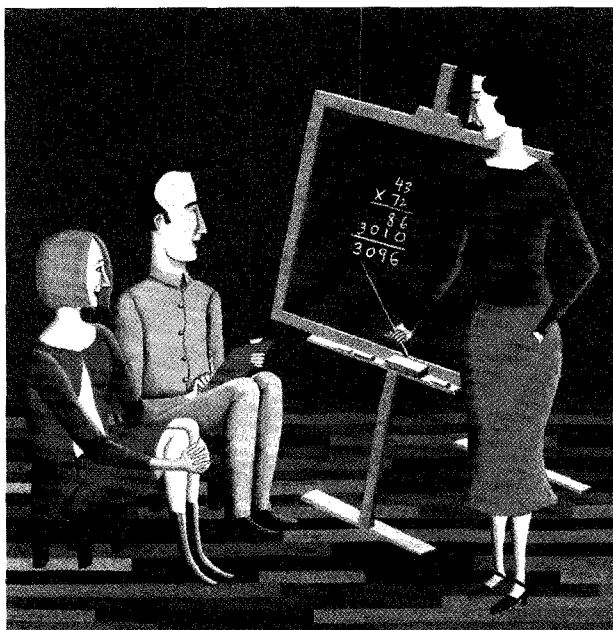
THE QUESTION RESONATES FURTHER when you consider the success of efforts like Phyllis Levenstein's Parent-Child Home Program. Beginning in the mid-1960s, Levenstein trained visitors to go into the homes of new parents and help teach them positive parenting strategies. Twice weekly for the better part of two years, these visitors went to the homes of 2- and 3-year-olds, bringing gifts for the child and sitting with the parent and child while modeling positive parenting behaviors. The strategy worked, and it continues to work with more than 4,000 children each year at 139 sites nationwide. In South Carolina, a 2002 study found that a mostly African American group of first-graders who had participated in the program as tots scored above the state and district averages for school readiness and far above the averages for other poor children. A long-term follow-up in Pittsfield, Massachusetts, found that at-risk children who took part in the program had an 84-percent high-school-graduation rate, compared with 53 percent for eligible children who didn't participate.

Some scholars have questioned the research on Levenstein's program, and most other research has suggested more moderate benefits from home-visiting programs. But a mountain of evidence shows that combining parental support with high-quality child care offers the most powerful approach for erasing the school-readiness gap facing poor children.

• The Perry Preschool Program, pioneered in 1962 in Ypsilanti, Michigan, offered two years of high-quality preschool plus weekly home visits. The program's impact was so powerful that, at age 27, participating children's average earnings were almost twice that of a control group. Participants were three times as likely to own a home and only one-fifth as likely to have been arrested for repeat criminal offenses. All told, the program returned an estimated \$7.16 for every dollar invested

when the kids were toddlers.

• The Carolina Abecedarian Project, begun in 1972 with a group of babies from poor families as young as 6 weeks old, provided five years of year-round, full-day child care, along with biweekly visits from a home-school resource teacher. Children who completed the project proved only half as likely as their peers to require special education by grade 9; they were one-third more likely to graduate high school by age 19 and three times as likely to enroll in a four-year college by age 21. Participating



mothers increased their own education during the project and were far more likely to hold good jobs.

• Houston Parent-Child Development Centers provided two years of support for Mexican American parents beginning when their children turned 1, offering home visits, parenting classes, and nursery school. When the participating children reached elementary school, they were placed in bilingual education less than half as often as a control group, and they proved far less likely to be held back.

These and other results led a National Academy of Sciences panel to conclude in 2000, "Programs that combine child-focused educational activities with explicit attention to parent-child interaction patterns and relationship building appear to have the greatest impacts."

TO ITS CREDIT, THE HEAD START program has included much more parental involvement than most state-funded and private preschools. It requires two home visits and two parent-teacher meetings yearly, and supports parents in getting health insurance, medical care, education for themselves, and social services. Parents also play a key role in governing local programs. That said, Head Start's work with parents misses important opportunities. "We're still not looking at 'what do you want every Head Start parent doing for their own kid?'" says Heather Weiss of the Harvard Family Research Project. What's more, says Arthur Reynolds, a University of Wisconsin scholar, "There is no family-resource room in each Head Start facility, no place for parents to go within the particular center, and that limits what you can actually do with the parents."

For 20 years, Reynolds has been studying an alternative called Child-Parent Centers (CPC), which has operated in Chicago's neediest neighborhoods since 1967. The CPC model differs from Head Start in several ways, including a much greater investment in parental support. In addition to hiring a paraprofessional home visitor for each center, CPC sets aside a separate classroom for parents at every site and staffs the room full time with a trained parent-resource teacher. The results are striking. In data released three years ago, Reynolds found that children in the CPC program were 29 percent more likely than a comparison group to graduate from high school, had a 33 percent lower arrest rate, and were 40 percent less likely to be left back or placed in special education—far surpassing the results of any Head Start program ever evaluated. When Reynolds analyzed the data further, he found that parental involvement was one of three important factors linked to CPC children's success.

In Seattle, The Incredible Years program has also compounded Head Start's impact through greater investment in

parental support. Working with children enrolled in Head Start, The Incredible Years combats behavioral problems with age-appropriate behavioral training for the children and parental training. In one project for children with behavioral problems, the combination of child and parent training returned 95 percent of the children to a normal range of behavior. The Incredible Years curriculum has also reduced problem behavior in a general population of Head Start children.

The most important window for engaging parents comes during the infant and toddler years—before children even reach preschool. Historically, Head Start paid almost no attention to children under 3, but in 1994, Congress and the Clinton administration enacted the Early Head Start program to begin filling that void. But as is detailed elsewhere in this special report, the program will consume just 10 percent of the total Head Start budget.

Likewise, whereas 46 states now operate pre-kindergarten programs and state funding for pre-K has skyrocketed from \$700 million in the early 1990s to more than \$2 billion today, only a few states have invested heavily in parent-focused services for 0- to 3-year-olds like Parents as Teachers, the Home Instructional Program for Preschool Youth, or the Parent-Child Home Program. Even including Early Head Start and projects funded by local governments and charities, parent-focused early-learning projects combined probably serve fewer than 150,000 children a year. That's a tiny fraction of the nearly 2 million children attending state-funded pre-K or traditional Head Start programs.

That gap is crippling, suggests Harvard's Heather Weiss. "Not only is a lot of your vocabulary and language set by age 3," she says, "but your notions of what you can learn ... are also set in those first three years of life." Parenting practices, she adds, "play a critical role." A 2002 evaluation showed that Early Head Start children had better cognitive and language development and showed better behavior than a control group. Early Head Start programs offering both center-based care and home visits for parents consistently yielded the best results.

"All of the research shows we have the capacity to change life trajectories," says Jack Shonkoff, dean of the Heller School of Social Policy and Management at Brandeis University and co-editor of an influential National Academy of Sciences report on early-childhood development in 2000. "The strong science tells us that early-intervention pro-

grams that work with parents in addition to working with children themselves are more effective than programs that work only with the children." The question is, when will policy-makers start paying attention? ■

DICK MENDEL is a freelance writer and editor based in Baltimore.

Head Start Under Assault

The flaws in the administration's misguided plan

BY HELEN BLANK

WHO WOULD HAVE thought a 40-year-old program that has helped millions of our nation's poorest preschoolers get a head start could come under attack? Despite its many successes, recorded by researchers and lived by families, Head Start's future is now uncertain as policy-makers debate a Bush-administration proposal that could effectively dismantle the cherished program. This debate badly misses the mark.

While some policy-makers have set their sights on Head Start, millions of low-income children still do not have the benefit of a strong early-education experience. A Head Start teacher still earns roughly half the salary of a kindergarten teacher. Meanwhile, the discussion in Washington focuses on moving the management of Head Start from the federal government to the states and narrowing the program's services, assuming that these changes will somehow yield the kind of early-childhood system our country needs for poor children.

Since 1965, Head Start has been serving the children who should be at the very top of our school-readiness agenda. Most of them come from families below the poverty level (barely \$15,000 a year for a family of three). More than 10 percent have disabilities, one in five has been exposed to violence, and more than a quarter have a primary language other than English. In nearly 80 percent of Head Start families, neither parent has

more than a high-school degree or GED.

Not surprisingly, these children tend to miss out on many enriching developmental experiences—reading and art, trips to the library or zoo—common for more affluent children. As "Parsing the Achievement Gap," a report from the Educational Testing Service, shows, other issues beyond the schoolhouse door—low birth weight, television watching, exposure to environmental hazards, inadequate parental attention—compound the problem. Together, these many disadvantages not only affect children's school readiness; they impede their long-term chances for success throughout the school years.

Head Start's founders were remarkably prescient in recognizing these factors. They designed a program that helps poor children catch up by tackling the complexity of broader family circumstances. While classroom teaching focuses on language, literacy, and math-readiness skills, social workers also help stressed families cope with unstable jobs, abusive relationships, inadequate housing, and depression. Health workers ensure that children are screened and receive medical and dental care. And parent-involvement staff help parents become partners in their children's education.

TWO YEARS AGO, THE BUSH Administration proposed to "devolve" the federal Head Start program, giving its funds to states to ad-

minister their own preschool programs. The plan, still under debate in Congress, lacks a guarantee that Head Start's comprehensive services and standards will continue. The original plan contradicted the administration's own focus on literacy, omitting any requirement that teachers move toward a bachelor's degree. While the House has since passed a bill phasing in that requirement, it does not include the funds to help teachers earn degrees or to raise their salaries. Worse, it offers no new funds for the next five years to reach any of the 3 million eligible children who are not enrolled in Head Start and Early Head Start. This is a plan that comes up short both on quality and investment.

If Congress enacts the Bush plan, cash-strapped states—even those with the best intentions—would feel serious pressure to dilute Head Start's comprehensive approach in order to reach more children. Currently, 40 states invest their own funds in pre-kindergarten. Expansion of state pre-K programs warrants strong support. But the track record to date suggests that simply providing states more flexibility will not lead to the high-quality program our poorest children need, nor to the comprehensive approach we expect from Head Start.

Meanwhile, the administration now mandates that all 4-year-olds in Head Start take part in a new, standardized assessment in literacy and math. These tests have been widely criticized—indeed, even by members of the administration's own advisory panel. The administration has also proposed halving the program's training funds and eliminating support for areas such as health and parent involvement.

THE BUSH PROPOSAL FALLS FAR short as a plan for Head Start's future. Efforts to strengthen Head Start must continue to recognize that the dichotomy between cognitive and social-emotional development is a false one, and that the best early-childhood programs must cultivate both. We must also expand the program's reach to serve more low-income children, and to ensure that Head Start focuses on the needs of hard-pressed working families and child development. A progressive

agenda for building the program's many strengths and shoring up its weak points should target these areas:

Bolstering quality. Head Start teachers should have bachelor's degrees in early-childhood education. This will require a significant new investment, but it is doable. Beginning in 1998, new funding enabled Head Start to meet the congressional goal of having at least half of all teachers attain associate's degrees by 2003. Added funding could help teachers obtain their degrees and compensate them enough so that they stay with Head Start. It should also fund more teacher training and support in improved curricula and teaching practices. To ensure quality, monitoring of Head Start should remain rigorous, and poor performing programs should continue to be replaced.

Since 1965, Head Start has been serving the children who should be at the very top of our school-readiness agenda, giving them a well-deserved boost.

Better program coordination. Today, many families are eligible for several publicly funded early-childhood programs—subsidized child care and pre-K as well as Head Start. Yet millions of children are still not served for lack of funding. Moreover, both Head Start and state pre-K programs are structured mainly to provide part-day services, not reflecting the needs of working families. Given these gaps, better coordination of the resources we have is essential to help children get a solid early-learning experience and to help parents work. State and local planning efforts should follow the lead of innovative administrators who have successfully woven these programs together for children and families.

Modernizing eligibility. No preschool child who needs Head Start should be turned away. Currently, only about half of eligible preschool-age children can participate. In the wake of federal welfare reform, many other families previously eligible for Head Start now earn a few dollars too many to qualify. Their children still need the Head Start experience. Head Start's eligibility guidelines have not been raised

since 1965. It is time to boost them.

Helping working families. The program cannot ignore the increasingly complex needs of the 72 percent of Head Start families in which parents are working. This means offering more full-day, 10-hour programs, or informal and flexible child care paired with part-day Head Start to accommodate odd work schedules. Increases in Head Start and child-care funding could help programs extend their hours.

Expanding Early Head Start. Research clearly demonstrates that very early intervention has the greatest impact on children's lives. Yet only 3 percent of eligible infants and toddlers can benefit from Early Head Start because of limited funding. Additional funding should be targeted to Early Head Start,

and qualified programs should be permitted to serve more infants and toddlers if these programs already are reaching all of the 3- and 4-year-olds in their community who need help.

HHEAD START HAS A LASER-LIKE focus on the children who need the most intensive help. As a national program, it can also quickly implement the research-based practices that are likely to have the biggest impact on early education. With its balanced approach to learning and child development, Head Start must remain at the heart of our efforts to build a strong early-childhood system in America. Increasing funding for and strengthening both Head Start and Early Head Start are critical pieces of any real plan to close the achievement gap, a plan that must also include investments and reforms in other efforts to strengthen schools, families, and communities. ■

HELEN BLANK is the director of leadership and public policy at the National Women's Law Center in Washington, D.C.

Too Young to Test

Why we need a better means of evaluating our nation's youngest children

BY RICHARD ROTHSTEIN

LAST FALL AND AGAIN IN THE SPRING, THE GOVERNMENT administered a standardized literacy and math test to all children in the Head Start program. It's being given again this year. Four-year-olds are asked to count objects, name alphabet letters and simple geometrical shapes, understand directions, characterize facial expressions, and identify animals, body parts, and other objects in pictures.

It is hard to discern why the Bush administration insisted on the test over the objections of most leading early-childhood experts and even members of its own Head Start advisory panel. Perhaps it is nothing more than a reflexive decision of administration ideologues who see tests and more tests as the solution to every conceivable educational problem—or worse, a way to expose the academic failures they fundamentally believe to plague the public-school system in America.

There are certainly some legitimate issues to address. One is that the government spends nearly \$7 billion annually on Head Start, and we should know what we're getting for our money. From national studies, it appears that Head Start graduates have better adolescent and adult outcomes than low-income children who weren't in the program; they are more likely to graduate from high school, have higher earnings and attend college, and less likely to commit crimes. But it also appears that Head Start children, especially blacks, may get an initial cognitive boost that soon fades away, so by fourth grade their reading and math scores may be no higher than their peers.

Another challenge for the program is a growing consensus among early-childhood experts that 4-year-olds are capable of better literacy and mathematics performance than was previously thought. Contrary to experts' thinking a generation ago, preschoolers can begin to read and do math, as any parent of a literate, middle-class 4-year-old knows.

But a standardized test, like that now administered by Head Start, is a poor way to address these challenges. Indeed, it can make things worse.

President Bush has assured educators that he considers it "absurd" for 4-year-olds to take tests like those given in elementary schools, yet in important respects the flaws of the Head Start test are similar to—and perhaps more severe than—those of standardized tests for older children. As yet, nobody knows what the consequences of doing poorly on the test could be because the federal Head Start Bureau, though determinedly pushing ahead, still can't say how results might be used. But the fear of adverse consequences alone must create

incentives to "teach to the test," as high-stakes exams must do.

Administration officials like to say that if the test assesses appropriate literacy skills, teaching to it can't be bad. But this fails to consider that a 20-minute test (that's the length of the Head Start exam) can't possibly reflect fairly the full breadth of an adequate curriculum. It must inevitably change program emphases.

Consider the items calling for identification of alphabet letters, in matched upper- and lowercase pairs, like "Aa" or "Nn." Research shows that young children who can recognize and name letters are more likely to read later on. So why shouldn't a test give Head Start teachers incentives to teach the alphabet? The reason is that research showing that letter recognition predicts reading success is based on assessing children who learned letters through *natural* literacy activities, like having stories read to them or playing with picture books. There is no evidence that memorizing alphabet letters out of context predicts later reading skill. But the test will lead teachers to spend more time on alphabet drills and less on reading—just the opposite of what Head Start needs.

HHEAD START WAS NEVER INTENDED TO BE PRIMARILY an academic program, but one that prepares low-income children for school by developing their health and their social, emotional, and physical skills, as well as math and reading readiness. The Bush administration claims to support this broad definition of Head Start's goals, and denies it intends to make the program academic. Yet just as rational teachers will shift their instruction to drilling letters and numbers if those are mostly what are tested, so Head Start programs will shift their focus if academics are emphasized in a test-based accountability system. "The administration says it supports *all* the goals of Head Start, but this test, in its present form, is sending a very different message," says Jacqueline Jones, who knows something about standardized tests. She heads early-childhood and literacy initiatives at the Educational Testing Service (the nation's main independent testing organization) and was a member of the Head Start advisory panel.

In response to such criticism, Head Start officials claim they are now trying to standardize measures of 4-year-olds' social and emotional development, but don't want to include such items on a test until they have been "validated"—i.e., proven to predict later school success. This claim is consistent with the administration's proclivity to invoke "scientific" standards in support of favored programs but to ignore science when it contradicts policy preferences.

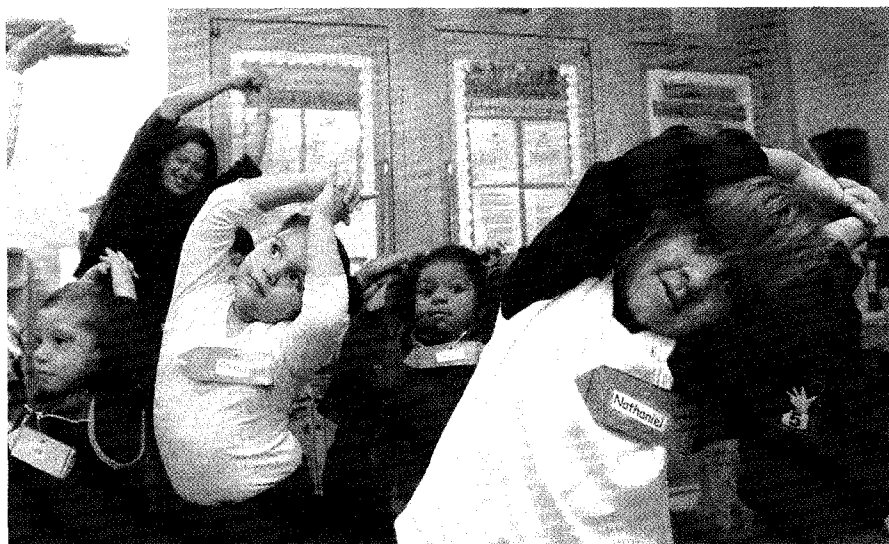
After all, the literacy items in the Head Start test have not

themselves been validated for the manner in which they are being used. In general, very little (only 25 percent) of the variance in first- or second-grade academic performance can be predicted by tests in preschool. For the Head Start test in particular, some items have been borrowed from tests for older children, and some were validated only in combination with other items in a larger test. Early-childhood educators do have test items that assess social and emotional development or fine and gross motor skills. For example, a child's ability to control impulses, a good predictor of whether a 4-year-old will benefit from elementary-school academic instruction, can be assessed by items like asking a child to delay opening a wrapped gift when the tester leaves the room. Motor skills can be assessed by seeing if a child can move a toy turtle (slowly) or toy rabbit (rapidly) along a meandering path sketched out on a piece of paper.

These haven't been scientifically validated, either, but that makes them little different from the reading items. Including social and emotional items on the Head Start test would at least signal to Head Start teachers that the government was not trying to get them to make academic drills their only priority. An even better signal would be given if each child's assessment had to include a teacher's report of whether the child was up to date on regular pediatric and dental visits and had been given comprehensive vision and hearing screening—measures that are among Head Start's legislated objectives and that have at least as much to do with 4-year-olds' later school success as alphabet recognition.

IF, AS OFFICIALS SOMETIMES INSIST, THE GOAL IS TO ASSESS Head Start program quality and not to evaluate individual children, there is a better system already in place—one ignored by the administration in its compulsion to test first and wonder why later. Currently, federal officials evaluate the quality of every Head Start program in the nation triennially, sending teams of as many as 25 monitors—experts in management and finance, early-childhood pedagogy, social-emotional development, health, and nutrition—for a full week to Head Start centers. Results of their investigations are forwarded to the government. Programs must develop plans to correct deficiencies in any area and submit to remonitoring to verify that flaws have been corrected. If the deficiencies are severe, or remain uncorrected, the government ends its contract with the Head Start operator and seeks bids for other organizations to run the community's program—a regular enough occurrence to ensure that Head Start programs take the reviews quite seriously.

Among the standards that Head Start programs must meet to satisfy these review teams is whether each child has been individually evaluated at least three times during the year in *all* the domains that Head Start should cover, including know-



Head Start: Not a test-prep program

ing alphabet letters and one-digit numbers, but also other important school-readiness skills like whether the child knows how to take turns or how to handle disappointments. Head Start teachers are required to show what kind of progress children are making by keeping samples of their work, notes of conversations and observations that document students' skill in each of the academic, social, and emotional areas in which children are expected to grow. Records must indicate whether the child has had regular medical and dental check-ups. The one thing the review teams do *not* demand of teachers is that they give children a sit-down test, inappropriate for 4-year olds, of decontextualized math and reading skills.

There are ways this accountability system could be improved. Policy-makers could join the expert teams, for example, to familiarize themselves with the challenges faced by early-childhood programs. The monitoring standards could be revised to require that Head Start programs, consistent with what is now known about children's development, have somewhat higher expectations for academic skills without needlessly downgrading other important goals. And the system could require a higher level of skills in instruction and assessment from Head Start teachers—an elusive goal so long as funding for Head Start is so sparse that many teachers have no more than a high-school education and are paid accordingly.

Yet even with their flaws, Head Start program reviews comprise the most comprehensive and high-quality accountability system in American education today. Rather than asking Head Start to ape the standardized testing regime of the No Child Left Behind law for K-12 education, we'd be better advised to ask elementary and secondary schools to submit to the kind of accountability already characteristic of the Head Start program. ■

RICHARD ROTHSTEIN is a Prospect senior correspondent, a research associate of the Economic Policy Institute, and a visiting professor at Teachers College, Columbia University. He is the author of *Class and Schools*.

Starting Right

Building on proven strategies to promote development in very young children

BY JOAN LOMBARDI

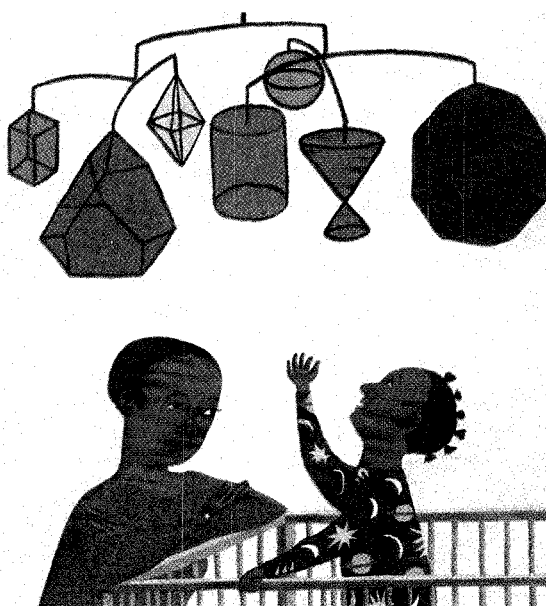
IN THE MID-1990S, NEWSSTANDS ACROSS THE COUNTRY BRIMMED WITH MAGAZINES touting new research on brain development, and the “science” of early-childhood development was championed from the East Room to the hearing room, from the

boardroom to the living room. Yet almost a decade later, there is still a significant gap between what we know about the earliest years of life and the public policies that support families with infants and toddlers in the United States.

Why the gap? There is no simple answer; rather a combination of factors has left this country without a coherent family policy—and lagging far behind virtually all other advanced nations when it comes to support for families with children under age 3. Perhaps the strongest influence has been the cultural tradition that considers the care of very young children the sole responsibility of their parents. Any attempts to develop policies that are perceived as “interfering” with this responsibility have been taboo. Even a policy to give parents time off during the critical first year of a baby’s life has been stubbornly hard to win.

Yet the sense that parents must “go it alone” is not the only thing that stands in the way of change. Traditional thinking on education still has not fully embraced the concept that children are “born learning,” despite compelling evidence from the newest brain research. Similarly, our policies do not fully reflect what science teaches about the vitally important contribution of parents and caregivers to a child’s education. Education reform has focused much more on what goes on inside the school building and much less on what goes on at home and in the community.

Strategies to promote the healthy development of and early education for our youngest children—starting well before school age—should be the next frontier of education reform. We need a more cohesive set of policies that can support the earliest forms of education while respecting the range of choices parents make for their families. Along with access to



prenatal and early health care, such policies would address parental leave and preparation for parenthood for all families; improved child care for working families; and access to comprehensive early-childhood services for expectant parents, babies, and toddlers at greatest risk.

IT IS WIDELY RECOGNIZED that parents need time and support to be with their newborn baby to establish the strong early bonds that lead to positive and healthy relationships. Indeed, while most industrialized countries guarantee paid parental leave, the United States is not among them. The closest

we’ve come to a national response—the Family and Medical Leave Act of 1993—provides 12 weeks of unpaid leave and covers only about 60 percent of private-sector employees, and only about 45 percent are both covered and eligible.

Predictably, low-income working families are least likely to benefit because they can rarely afford to take unpaid leave, have jobs with the least flexibility, and have the hardest time finding quality infant care and reliable transportation. Welfare reform in the 1990s only compounded the problem, allowing states to require women with children under age 1 to participate in work activities, while funding for child care in the past few years has failed to keep up with demand.

In recent years, advocates for family and medical leave have turned to the states. In 2002, California became the first state in the nation to enact paid family leave, expanding the state disability insurance program to provide up to six weeks of partial wage-replacement benefits to workers who take time off to care for a new baby or seriously ill family member. According to the National Partnership for Women and Families, five states (and Puerto Rico) have state-administered Temporary Disability Insurance systems (or require

employers to offer them). Such systems provide partial wage replacement to employees who are temporarily disabled for medical reasons, including pregnancy or birth-related medical reasons. Efforts to enact paid leave have been introduced in more than two dozen states.

One innovative solution, the At-Home Infant Care (AHIC) program, was pioneered by Minnesota and Montana in response to the lack of good infant care. AHIC gives low-income families a partial subsidy so they can remain home to care for their very young children. Minnesota families could participate if they were eligible for child-care assistance and had children under age 1. In Montana, eligibility was set at 150 percent of poverty for families with children under age 2. Parents reported both developmental and financial benefits. Despite the promise and interest in this model, though, tight budgets have hampered its progress.

MOST CHILDREN UNDER AGE 3 HAVE WORKING parents. It is well-established that the quality of the infant and toddler care on which millions of these parents depend each day can affect a child's well-being. Despite this knowledge, affordable, high-quality care remains out of reach for many working parents—particularly low-income ones, whose children could benefit most from the en-

sive health, family-support, and education services to expectant parents and infants and toddlers living in poverty. In fiscal year 2003, Early Head Start served nearly 62,000 children under age 3 in more than 650 programs across the country. Services are delivered through home visits, center-based programs, or a combination of the two.

So far, the results have been promising. A rigorous evaluation of Early Head Start has shown positive impacts on children's cognitive, language, and social-emotional development—and, importantly, solid effects on their parents, too. Results were stronger when programs started during pregnancy and when standards were carefully implemented.

As is too often the case, though, too few are helped: Early Head Start still serves only 3 percent of the more than 2 million poor children under age 3 nationwide. And with poverty among very young children growing, expansion of services to infants and toddlers is more important than ever. With more and more states investing in preschool programs, the logical next step for Head Start is to expand downward. Because we know that most children enter the program already behind in language development and other skills important for school readiness, we simply can't afford to wait to start them on the right road.

If we are indeed committed to making top-notch education a priority for the nation's youngest children, it must start well before they reach the preschool door.

richment a good program might provide. Families with very young children have the fewest child-care options and pay the highest price for care. Quality is stretched thin due to low wages, high turnover, and limited training opportunities for providers. Child-care resource and referral agencies across the country receive more calls from parents seeking affordable, quality infant care than any other type of child care. Even when child-care assistance is available, it most often does not cover the full cost of quality care.

In an effort to address this national need, Congress has appropriated an additional \$100 million each year since 1998 to improve the quality of infant care through the nation's main child-care program, the Child Care and Development Block Grant (CCDBG). With these funds, states have been launching new strategies, creating innovative training and credentialing for infant- and toddler-care providers, expanding family child-care networks, and developing supports for "family, friends and neighbor care"—the type most often used by parents of very young children and by low-income families. While all these efforts are important, they are only initial steps forward; much more is needed to make high-quality infant care the national priority it deserves to be.

THE EARLY HEAD START PROGRAM WAS DESIGNED with this challenge in mind. Added to the Head Start program in 1994, it was designed to offer comprehen-

THERE ARE MORE THAN 11 MILLION INFANTS AND toddlers living in the United States. If we are indeed committed to making top-notch education a priority, it must start well before they reach the preschool door. And it must bridge partisan and ideological differences that have impeded progress for far too long. The next Congress and administration can start by expanding the Family and Medical Leave Act to provide benefits to more families, and by providing incentives to states to experiment with paid leave and programs like the At-Home Infant Care model. Reauthorization of both Head Start and the CCDBG provide important opportunities for change, too. The funding set aside for infants and toddlers in the CCDBG should be authorized and expanded, and each state should be required to have a plan to ensure better care for babies and toddlers. Head Start programs across the country should be allowed to serve expectant parents and children under age 3 if that is what their communities need.

These steps can lay the foundation of a compassionate agenda, can lead to long-term benefits, and are the most basic elements of a comprehensive approach to education reform—a goal that everyone can embrace. ■

JOAN LOMBARDI is the director of The Children's Project in Washington, D.C. She served as a deputy assistant secretary for children and families and the associate commissioner of the Child Care Bureau during the Clinton administration.

Shaping the Brains of Tomorrow

What developmental science teaches about the importance of investing early in children

BY ROSS A. THOMPSON

WHAT WOULD HAPPEN IF THE BEST MINDS in the country concluded that investments in early-childhood development are necessary and cost-effective? That the early years present an opportunity, unequaled later in life, to enhance inborn potential and avert harm? What if they could identify the “active ingredients” of healthy psychological development, and how to enhance these in young children growing up in deprived conditions? Wouldn’t society become mobilized to do its best for young children?

We are in this situation today, and the arguments for investing in early-childhood development are scientific, not political. As the result of several blue-ribbon studies of the forces shaping young children’s growth, developmental scientists today agree on some basic conclusions: The early years are important. Early relationships matter. All children are born ready to learn, both intellectually and socially. Even in infancy, children are active participants in their own development, together with the adults who care for them. Early experience can elucidate, or diminish, inborn potential. The early years are a period of considerable opportunity for growth and vulnerability to harm.

What we do with this knowledge will shape the lives of the next generation.

DEVELOPMENT IN THE EARLY YEARS

Developmental psychologists and neurobiologists agree that the developing mind is astonishingly active and self-organizing, creating new knowledge from everyday experiences. Newborns crave novelty and become bored with familiarity, so their eyes, ears, and other sensory organs are attuned to events from which they can learn. A few months later, the infant mentally clusters objects together that are similar in shape, texture, or density, and explores gravity and causality as crackers are dropped from the high chair. A toddler categorizes faces, animals, and birds according to their properties, and by age 3 or 4, children make logical inferences about new members of a group, such as appreciating that a dolphin breathes like the mammal it is rather than the fish it resembles. Just as the developing brain is expanding its interconnections, the developing mind is making connections between the new knowledge it discovers and creates.

The remarkable intellectual accomplishments of the early years extend to language development. Newborns have an innate capacity to differentiate speech sounds that are used in all the world’s languages, even those they have never heard and which their parents cannot discriminate. But later in the

first year they lose this ability as they become perceptually attuned to the language they will learn. By age 3, a child is forming simple sentences, mastering grammar, and experiencing a “vocabulary explosion” that will result, by age 6, in a lexicon of more than 10,000 words. Equally important, language will enable the child to put developing ideas and concepts into words that he or she can share with another, revolutionizing his or her thought by gaining access to the concepts, ideas, and values of others.

Sensitive caregiving—not educational toys or Mozart CDs—provides the most essential catalysts for these feats of intellectual growth. People are critical to the development of the mind: Newborns attend in a special way to human faces and voices, toddlers learn new words based on their interest in the intentions of adult speakers, and memory develops through the shared recounting of everyday events. Relationships stimulate the mind and provide the emotional incentives to new learning as young children share their discoveries with another. This is why promoting school readiness is not simply a matter of encouraging literacy and number skills. It must also ensure the secure, unhurried, focused attention from sensitive caregivers that contributes to the growth of curiosity, the eagerness to discover, self-confidence, and cooperation.

Healthy brain development relies on people to provide the stimulation that organizes connections in the cortex for language and complex thought. It also relies on people to protect the baby from overwhelming stress, manage the child’s emotions, and promote security. This is why strong attachments between infants and their caregivers are as biologically basic as learning to crawl and walk. Throughout evolution, attachment relationships have ensured human survival by keeping infants protected and nurtured. By their first birthday, infants have developed deep attachments to those who care for them. And these attachments, in turn, provide a foundation for positive relationships with peers and teachers, healthy self-concept, and emotional and moral understanding.

In the absence of nurturing relationships, things can go wrong. It isn’t surprising to find that insecure attachments develop more frequently in homes where parents are stressed or depressed, or in chaotic child-care settings. Even more disturbing is research demonstrating how early children show signs of depression, conduct problems, social withdrawal, and anxiety disorders, and how closely these problems are tied to the quality of the parent-child relationship. These studies show that relationships with caregivers who are neglectful, physically abusive, or emotionally troubled can predispose young children to psychopathology. So the importance of

these earliest relationships is a double-edged sword: Sensitive caregiving underpins healthy development, while markedly inadequate care renders young children vulnerable to harm.

Relationships also influence the growth of social and emotional understanding. Far from being egocentric, young children are fascinated by what goes on in others' minds, and social experiences are the laboratory in which these discoveries emerge. A 2-year-old whose hand inches closer to the forbidden VCR while carefully watching her parent's face, for example, is testing the adult's expected reaction. And a 3-year-old whose roughhousing has resulted in a crying younger sibling learns from an adult about the connections between exuberant running and inadvertent collisions, enhancing his or her emotional understanding and empathy.

FROM MIND TO BRAIN—AND BACK AGAIN

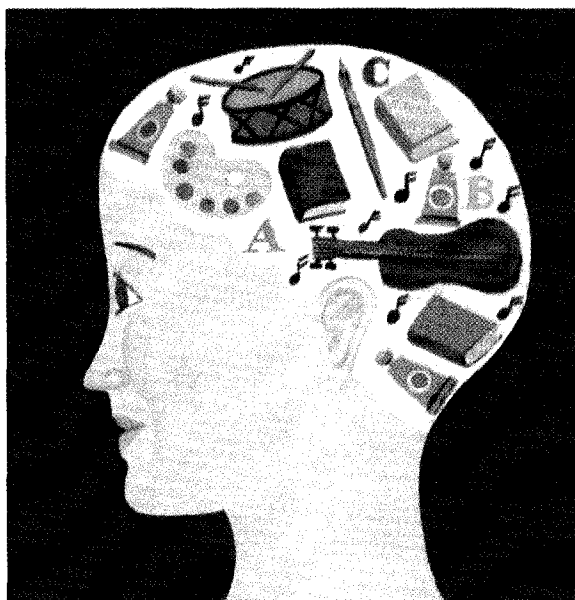
Whether we are concerned with the growth of the mind or the person, all of these remarkable early achievements take place in the developing brain. Brain development begins within the first month after conception, and by the sixth prenatal month, nearly all of the billions of neurons that populate the mature brain have been created. This means that the quality of prenatal care, particularly the mother's nutrition, health, and exposure to dangerous viruses and drugs, can have a profound effect on the developing brain of her fetus. Health, nutrition, and drug exposure continue to influence brain development after birth.

Both before and after birth, there is an initial "blooming" of connections between neurons, creating a brain densely packed with many more neural pathways than it needs. This proliferation is followed by a period of "pruning" in which little-used connections gradually erode to reach the number required for optimal efficiency. Experience is the central determinant of which neural pathways are retained or disappear. The early experiences that sculpt the developing brain can be stimulating or neglectful, supportive or traumatic, secure or stressful. Through a "use it or lose it" principle, those neurons that aren't activated through experience progressively wither. Language exposure, for example, helps to account for the transition from the newborn's capacity to perceive universal speech sounds to the 1-year-old's language-specific speech perception. Developmental neuroscientists offer similar accounts to explain the early development of vision, memory ability, early categorization and thinking skills, and emotional development.

Brain development is an extended process—not limited to a narrow "window of opportunity" between zero and three, as conventional wisdom sometimes suggests. Neural con-

nections in areas of the brain guiding higher forms of thinking and reasoning grow and atrophy into early adolescence, for example, and the adult brain even creates new neurons in certain regions governing memory. Brain architecture continues to be subtly refined throughout life in ways that reflect the individualized, everyday experiences of the person. The brain of a musician who plays a stringed instrument, for example, differs from the brain of a poet who works with words and abstract ideas because they have exercised different brain regions throughout life.

Despite these exciting discoveries, neuroscientists are still at the early stages of understanding how experience refines the brain. They are concerned with how early deprivation (such as that experienced by orphans from Romania and the former Soviet Union), abuse, and trauma influence early brain growth, and whether these effects can be altered. They are also studying how relational problems, such as the challenges faced by an infant of a depressed mother, influence brain development.



INVESTING IN YOUNG CHILDREN

These and other conclusions from a landmark study of the National Academy of Sciences, *From Neurons to Neighborhoods: The Science of Early Childhood Development*, underscore the importance of early experiences for development throughout life.

What about children, then, who live in deprived or high-risk conditions? Considerable research shows that many of them will lag intellectually from infancy and will suffer deficiencies in various facets of healthy psy-

chological development. Poverty significantly compromises healthy intellectual and socioemotional development, for example, and poverty during early childhood is more powerfully predictive of later achievement than is poverty at any later stage. The reasons include stressed caregivers, troubled parent-child relationships, dangerous neighborhoods, and inadequate schools and community supports.

Can early interventions improve the odds of healthy development for children at risk? The answer offered by the committee of scientists that wrote *From Neurons to Neighborhoods* is both optimistic and challenging. The good news is that there are successful strategies, especially programs that emphasize child-focused educational activities and parent-child interaction, and are governed by specific practices matched to clear goals. But the most effective interventions are rarely simple, inexpensive, or easy to implement. Changing the developmental trajectory of a young child growing up in deprived circumstances requires determination, persistence, and patience.

Are such interventions cost-effective? Determining the cost-effectiveness of programs for at-risk young children re-

quires putting price tags on the innumerable human consequences of early deprivation. Yet several studies of comprehensive early-intervention efforts have found that program costs are more than compensated by averted costs of educational remediation, juvenile or adult crime, and diminished job earnings.

While expensive, large-scale public efforts have been skeptically regarded by policy-makers most concerned about their costs, important new voices are emerging in support of these investments. One is that of James Heckman, Nobel laureate and University of Chicago economist, who argues that the varied benefits of early-childhood interventions—in cognitive learning, motivation, and socialization—are likely to have long-term advantages in the labor market because of the cumulative effects of early improvements in ability. Another is that of Art Rolnick of the Federal Reserve Bank in Minneapolis, who (along with colleague Rob Grunewald) estimates that public investments in programs to assist poor children yield a 16-percent real rate of return. This, he argues, compares very favorably to other public investments with more popular appeal, such as building sports coliseums, which typically have little or no return on public investment. Although much more research is needed, it appears that society's investment in improving the chances for young children at risk is economically worthwhile.

The views of economists like these shift the debate about public efforts to support healthy early development. And

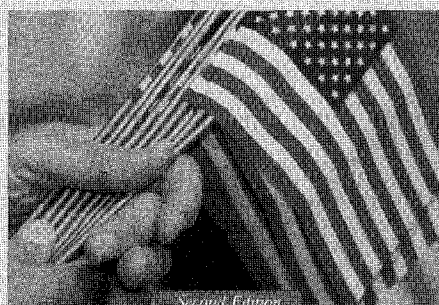
they join the chorus of scientists whose work has consistently shown how much early-childhood experiences and relationships matter. It is now reasonable to ask why public policy lags so significantly behind the science and economics of early-childhood development.

The public policies that would support healthy early-childhood development are child-friendly and family-friendly. They include:

- child-care policies that ensure widespread access to affordable, high-quality child care;
- welfare-reform policies that enable parents to integrate work and family responsibilities constructively in children's interests;
- prenatal and postnatal health care that screens children for developmental difficulties before they become severe, guarantees adequate nutrition, provides early visual and auditory screening, and protects young children from debilitating diseases and hazardous exposure to environmental toxins.

In the end, because children are society's most valuable asset, they are also a social responsibility and investment. Because the science of early-childhood development converges with the economics of public policy to confirm that investments in early-childhood development are both necessary and worthwhile, it is long past time for society to catch up. ■

ROSS A. THOMPSON is a developmental psychologist at the University of California, Davis.



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Raising the Bar

We know better-qualified teachers produce higher-performing children.
We need to reward better-trained child-care and preschool teachers.

BY JOAN FITZGERALD AND DAPHNE HUNT

LILLIANA DIAZ HAS OPERATED a child-care business in her Lowell, Massachusetts, home for more than four years. Often rising before dawn and putting in 10-hour days, she guides eight toddlers through a busy schedule of reading, playtime, meals, and more. To get to this point, Diaz completed a 63-hour training course, then earned a Childhood Development Associate (CDA) credential, and is now working toward an associate's degree. But because Massachusetts, like 32 other states, does not reimburse family child-care providers based on their education level, she makes the same as a provider who has just 15 hours of course work—the bare minimum required by the state. The same is true for workers in most child-care centers; there is little pay differentiation even for workers with college degrees.

In both family day-care settings (a small number of children in the provider's home) and child-care centers (more formal and larger), the quality of care is more custodial than developmental. Only 16 states require family child-care providers to be licensed, and the licensing requirements mostly address safety issues, not educational quality or caretaker training. Just 7 percent of child-care centers are accredited by the National Association for the Education of Young Children, the field's accrediting body. And the picture is no better when it comes to child-care workers, who—shamefully—are among the lowest-paid people in the country. Assistants earn an average hourly wage of \$8.37 and teachers about \$9.66. It's no wonder only one-third of child-care teachers hold a college degree; those with degrees can get better jobs in other fields.

We know that professionalization of the people who work with kids makes a



big difference in outcomes for children. But how do we get from the current workforce to one that provides enriching, developmentally focused care that prepares children to do well in school? Should we aim high—for the kindergarten model, where teachers hold bachelor's degrees? Or should we look to an attainable middle ground—focusing on upgrading skills for current providers to ensure better results for kids? With a few notable exceptions detailed below, most states unfortunately are taking a minimalist approach.

We also know definitively that high-quality child care is essential to the social, cognitive, and emotional development of children, particularly for poor children who may not get parenting that meets these needs at home. Child-care providers with higher levels of education are more likely to engage in activities that stimulate children's development. Compelling evidence suggests that teachers with bachelor's degrees in early-childhood develop-

ment or education are much more likely to provide children with the literacy skills and vocabularies needed to do well in school. As far back as 1979, the National Day Care Study found that children in centers with a high proportion of well-trained caregivers had higher cognitive test scores than others. Voluminous research since then has shown a positive correlation between teacher education and children's language scores, their healthy interaction with peers, and other important measures of success.

But professionalizing the workforce requires not only a system of credentials but also some assurance that better education will be rewarded with better pay. Only 21 states set education standards for child-care-center employees, and most of those are minimal. Rhode Island and New Jersey alone require teachers in child-care centers to hold bachelor's degrees and to have taken part in specialized early-childhood training. Vermont is the only state requiring that a child-care center have on staff at least one person with a master's degree. And just 17 states reimburse workers based on their education or training, mostly by offering a one-time award or annual stipend. In Georgia, for example, the INCENTIVES program offers annual salary supplements to child-care workers who meet licensing-credentialing criteria as a way to boost skills and reduce turnover. A worker with a CDA gets a \$400 annual stipend; an associate's degree brings \$1,500; a bachelor's degree means \$2,000.

In Washington state, an innovative middle-ground approach links wage increases to education and experience in a formal career ladder. The Early Childhood Education Career and Wage Ladder program [see Joan Fitzgerald, "Caring for Children as a Career," *TAP*, July 15, 2002] was started in 2000 with state welfare savings and ran for 3 years in 126 child-care centers. It required participating centers to pay a minimum wage and provided raises based on years of service, job responsibility, and specific educational credentials. A study by Washington State University found

that the program increased median hourly wages of participating child-care workers (to \$9 versus \$8.14 for other child-care workers). It doubled the number of centers offering health benefits (86 percent for participating centers versus 45 percent for others). It boosted morale among teachers and gained support among parents and center directors. Significantly more workers in the pilot centers pursued additional education than did other child-care workers. And, most important, it improved the quality of child care delivered, as measured by two widely used quality-assessment tools.

Washington's pilot program made a stronger link between education and wages than most initiatives, catalyzing educational advancement with the carrot of increased wages. But program weaknesses also limited its impact. As a three-year pilot, the "ladder" was not in place long enough to ensure significant educational advancement. (It takes longer than three years to earn an associate's degree while working as a full-time child-care teacher.) And despite the higher pay and incentive raises, workers with bachelor's degrees were often lured away from the child-care field to better-paying jobs.

ELSEWHERE, NEW JERSEY HAS shown that the high ground can be achieved—and that young children are the beneficiaries. In 1998, the New Jersey Supreme Court ruled, in *Abbott v. Burke*, that high-quality preschool was needed for children in the state's 30 poorest school districts to enter school ready to learn. Another ruling in 2000 required child-care teachers in *Abbott* districts already working in centers funded by the state's Department of Education to earn a bachelor's degree and early-childhood certification in four years. The state would help them do so by funding salaries and program expenses, as well as scholarships.

By late 2003, an astonishing 92 percent of the *Abbott* district teachers held bachelor's degrees—up from just 35 percent at the time of the court ruling. A preliminary study just published by the Early Learning Improvement Consortium found that children's lan-

guage skills were improving, too. As yet, it's not clear how much of the jump in teachers' credentials is attributable to newly acquired degrees and how much resulted from attrition of the least-educated teachers (who were replaced, in turn, by college graduates). But early signs are encouraging, experts agree.

To guard against newly credentialed teachers leaving for better jobs in other school districts, the Supreme Court required *Abbott* districts to pay providers adequately to retain teaching staff. The *Abbott* district teachers are now earning an average annual salary of \$41,333 (the range is \$31,359 to \$61,035.) Further, the state has provided increased benefits to the level of district benefits. The results are so promising that the state has expanded the scholarship program to all workers in centers with *Abbott* contracts.

NEW JERSEY SEEMS TO HAVE proved that the child-care labor force can meet higher standards, and child-care experts are confident the Garden State is not an exception. Amy Kershaw of Strategies for Children, an advocacy and public-policy nonprofit focusing on youth and families, has interviewed many teachers in connection with her organization's campaign for comprehensive early preschool in Massachusetts. "Teachers aren't opposed to higher standards and want to achieve them," she says. "What they fear is that standards will be imposed without giving them a way to get there." And getting there can be hard: The average caregiver is 39 years old, juggling family and work, and faced with the many challenges confronting adult learners. But with enough support, many will do it.

The biggest barrier is funding. Despite its success, Washington's pilot program ended due to a lack of state funding. Advocates of the pilot spearheaded a unique fund-raising effort—a 2003 ballot initiative levying 10 cents on every espresso shot sold—that went down to defeat. This year, the Washington business community did support the reauthorization of the Families and Education Levy, a property-tax measure that funds education

and health programs in the Seattle area. But the \$116 million, seven-year levy allocates only \$220,000 yearly to the career-ladder program—enough to fund 10 of the original 22 Seattle centers. The Economic Opportunity Institute, which originated the career-ladder initiative, is now seeking a longer-term legislative solution.

New Jersey, meanwhile, chose to use child-care funds from its welfare program for scholarships for teachers returning to school. Although the *Abbott* ruling's deadline technically expired in September, the Department of Human Services is still funding the scholarship program for both assistant teachers and new teachers needing certification.

The Washington and New Jersey cases demonstrate that better-quality care can be partly achieved with the existing workforce, although New Jersey did supplement the existing workers with new teachers who had bachelor's degrees. Washington's pilot program focused on the need to increase workers' wages, while New Jersey's court mandate was to improve quality to prepare poor children to do well in school. Importantly, the court didn't just throw a little money at newly educated child-care teachers; it also required *parity* with public-school teachers with similar educations. Further, as one analyst of the New Jersey program, Julia Coffman, notes, "New Jersey's Supreme Court gave the state a significant push forward in its movement toward high-quality early care and education by forcing the state to tackle the problem in a defined period of time and to dedicate adequate resources."

We have evidence that such initiatives can improve the quality of early-childhood programs. What we need now is the political will. Let's hope that the courts do not have to be the drivers in the movement toward quality early care and education. ■

JOAN FITZGERALD is an associate professor and director of the law, policy, and society program at Northeastern University. DAPHNE HUNT is a doctoral candidate at the Heller School for Social Policy and Management at Brandeis University.

The European Model

What we can learn from how other nations support families that work

BY MARCIA K. MEYERS AND JANET C. GORNICK

TO JUDGE FROM PUBLIC DEBATES on everything from marriage promotion to educational standards, the United States is exceptionally concerned with the well-being of children. But as American families struggle to balance work and family demands, our government is doing little to help. Parents in countries such as Sweden and France also balance work and family responsibilities. In fact, rates of maternal employment are as high or higher in these countries than in the United States. But parents in these countries are managing competing demands with significantly more help from government.

Three areas of work-family reconciliation policies are particularly important: paid parenting leaves that allow mothers and fathers to care for infants without forfeiting their jobs or income; working time policies that increase options for high-quality, reduced-hour, and part-time employment; and publicly subsidized or provided early-childhood care and education programs.

All of the western European countries (and even nearby Canada) provide maternity, paternity, and/or parental leave during the first year or more after the birth or adoption of a child, typically funded through some combination of national sickness, maternity, and other social-insurance funds. Throughout much of Europe, normal workweeks have been shortened to 35 to 39 hours, and legislation and/or collective-bargaining agreements prohibit employers from treating part-time workers less favorably than “comparable full-time workers.” In western Europe, policies that protect parental time are coupled with high-quality, public early-childhood education and care. Together, these policies support the provision of safe, developmentally nurturing care

for children from birth until the start of primary school.

In Sweden, parents have a right to 15 months of paid parental leave that can be shared between mothers and fathers; parents also have a statutory right to work six hours per day (at prorated pay) until their children turn 8. Leave benefits are coupled with an entitlement to public child care for all children from the end of their parents’ leave periods, providing affordable alternatives to full-time parental care. Nearly half of children between the ages of 1 and 2 are in public care, as are 82 percent of those between the ages of 3 and 5, and virtually all 6-year-olds. Quality standards, set nationally by the Ministry of Education and Science and adapted to local communities by municipalities, ensure high-quality care, which is provided by well-trained workers who earn wages at about the national average for all women workers.

France and several other continental European countries combine somewhat shorter periods of paid leave with dual systems of public child care (for the under-3s) and preschool (from 3 until school age). In the French policy package, mothers are entitled to 16 weeks of paid leave at the birth of first and second children (26 weeks at the birth of subsequent children), with 100-percent wage replacement; fathers have a right to 11 days of paid paternity leave. French parents are also entitled to share three years of job-protected parental leave with low flat-rate benefits. Leave benefits are coupled with a dual system of early child care and later public preschool. About 20 percent of children aged 1 and 2 attend public crèche or other subsidized care; from the ages of 2 1/2 to 3, children are entitled to a place in free public preschools (*écoles maternelles*), and nearly all children attend. Quality stan-

dards are set by national policy and curricula, and teachers in French *écoles* have the equivalent of graduate training in early education and earn wages that are above the average for all employed women.

Work-family reconciliation policies vary across the European countries, reflecting both political priorities and cultural norms about families and children. Countries such as France, Belgium, and Italy emphasize school readiness in the years before primary school, while the Nordic countries integrate care and education throughout childhood. Even the educationally oriented models of continental Europe vary in pedagogical approach between the highly structured *écoles maternelles* of France and the child-directed *Reggio Emilia* approach in Italy.

What is common is the concern with the quality and the developmental focus of early care and education. Governments play an active role in ensuring quality through program standards, curricular design, quality assessments, and staffing standards. Staff are generally highly trained and, particularly for those working with 3- and 4-year-old children, meet educational standards that are comparable to those of public-school teachers. Staff compensation is correspondingly high, particularly for professionals working with children over 3—and, in the Nordic countries, for those working with all children under school age.

What does it cost France and Sweden to provide this level of care for children? And could we afford it here in the United States? We estimate that if the United States were to offer an extremely generous package of paid family leave and child care—combining, say, Swedish family-leave policies with French child-care provisions—the United States would need to spend between 1 percent and 1.5 percent of the gross domestic product, or about \$115 billion to \$175 billion per year, depending on parents’ level of use. This level of spending would be comparable to what Sweden and France now invest.

Whether these costs are a lot or a little to spend on the well-being of children depends on what we expect to gain

from the investment. The European experience, as well as extensive empirical research conducted largely in the United States, suggests that the benefits could be great. There is now substantial evidence that high-quality early-childhood education has benefits for children's school readiness. There is also worrisome evidence that extensive time in poor-quality care may be harmful for very young children. These benefits and risks are particularly great for low-income children—the very children who are also those most likely to miss out, in the U.S. system, on high-quality, educationally oriented programs in the years before the start of school. Given the relatively poor academic performance of America's children, in cross-national perspective, the educational advantages provided by the European systems cannot be overlooked.

The European experience suggests that these work-family reconciliation policies have other social benefits as well. The United States has experimented with mostly private solutions for work-family reconciliation, and the results are not good. In comparison with our counterparts in a number of European countries, we have high levels of gender inequalities in paid and unpaid work, very low-quality child care, exceptionally poorly paid child-care workers, and high child-care bills for families. The distribution of these outcomes is also highly regressive. In the United States, families and workers with the fewest resources have access to the most limited employment-based family-leave provisions. The poorest families spend the largest share of their disposable income on substitute child care. And children in the poorest families are the least likely to be in formal care settings (as opposed to family care), and, if they are, in settings of lower quality.

In the most well-developed European systems, work-family reconciliation policies are universal, inclusive, and progressive in their distribution of costs. Use of parental leave is nearly universal among women and gaining acceptance among men; nearly all children are enrolled in public child care that is

seen to promote both early learning and social integration across economic and other divides. The universality of these programs and their obvious benefits for children help explain high and continuing political support, even in times of economic strain. Between 1980 and the mid-1990s, per-child spending on family policy in the western European countries increased by 52 percent. Expansion of work-family reconciliation policies continues to be encouraged, and in some cases required, by the European Union. Robust political support for these programs suggests that our counterparts in much of Europe recognize

that spending for early-childhood programs is an investment that pays dividends for children, their parents, and society as a whole. ■

MARCIA K. MEYERS is an associate professor of social work and public affairs at the University of Washington. JANET C. GORNICK is an associate professor of political science at the City University of New York's Graduate Center and Baruch College. Their book, *Families That Work: Policies for Reconciling Parenthood and Employment*, was published by the Russell Sage Foundation in 2003.

Where Do We Go From Here?

Building a movement on behalf of young children

BY VALORA WASHINGTON

AN IMPORTANT REASON why quality early education and care is not universally available in America is because the public is not demanding it. Many of the people most affected by current supports for young children are not engaged in the conversation about it, and some natural allies feel ignored. Many parents scramble for care when they need it, but often leave that developmental period with a survivor's sense of relief, unaware of how they might work to alter the fragmented, incoherent experience. Yes, polls indicate that the general public supports early education—but, overall, the public is not yet activated to *do* anything to actually achieve it or to pay for it.

Ironically, in the cycles of history, we have come to a place where our nation simultaneously embraces *and* neglects the young child, offering almost enough care to address basic needs but not enough resources to ensure quality early education for all. Excellent innovations prevail, but a *system* of care lies just beyond our reach. Indeed, the field of early care and education is at a crossroads, where the hoped-for remedy is not a na-

tional framework of care but the evolution of 50 unique state solutions.

At times, advocates of greater care and education experience vigorous endorsement from business, philanthropy, and the media, and even increased fiscal commitments. The benefits for children are consistently demonstrated and well-documented. Fervent opposition appears to wane. But demand for services invariably exceeds supply. And efforts to create change for young children confront the "soft bigotry" inherent in the persistence of custodial care, the abandonment of a federal strategy, and insufficient funding at all levels of government. Without question, as a nation, we "know" so much more than we are prepared to "do" for young children.

There is no shortage of courageous, strategic, and smart initiatives. North Carolina, New Jersey, Georgia, and Oklahoma are home to inspired examples of what might be possible for all children given a convergence of factors, including determined leadership, sweat equity, and community organizing. In these states, Head Start, a federal-community partnership, continues to play a vital role in bringing educa-

tion, health care, and social services to our most vulnerable families. And, everywhere across America, individual demonstration programs illustrate the creative genius of early educators. These are all essential, vital initiatives that can convert people, communities, and dollars to “the children’s cause.”

While celebrating decades of program innovations, research corroboration, and sustained advocacy, we might ask ourselves: Why does the promise of quality, accessible early education and care for all families who want it remain elusive? How do we redress the reality that too many programs are mediocre and characterized by high staff turnover, inadequate teacher compensation, and family access frequently subordinated to policy goals such as welfare reform?

Where do we go from here? Essential strategies must include:

Leadership. Leaders must rally broad constituencies and be unafraid to re-examine difficult issues of professional and program standards and qualifications.

Linkages. We must sustain ongoing efforts to strengthen, motivate, activate, and leverage partnerships with peer organizations and with “grass tops”—that is, executive leaders in corporate, foundation, and policy arenas—as well as grass roots.

Litigation. Sometimes, as most notably in New Jersey, court strategies advance educational equity for young children.

Legislation. We need to pursue coalitions and opportunities at all levels of government.

But the most important missing link is a true movement on behalf of young children. As a top priority, communities of color must be more effectively engaged as leaders and allies in early-childhood-advocacy movements. This strategy has proven effective in the past: At its best, Head Start galvanizes community trust and passion. It is widely acknowledged that its community and parent support help explain why Head Start has survived and thrived even as other war-on-poverty programs were defunded. Given the demographic realities in the United States, sheer numbers alone demon-

strate how important these communities can be to efforts to build public will for change. Because publicly financed programs typically target low-income populations, they disproportionately affect children of color. Beyond demographics, as a social principle, those most affected by a policy must own the process of change.

Equally important, early educators who are members of communities of color must be architects of change for young children. “Acknowledged” leadership in the field of early education includes a greater proportion of males, whites, and associates of universities than constitutes the larger early-childhood workforce. Preschool teachers, like those in public schools, have less diversity than the children they

types (those not rearing children);

- “evidence” evoked through stories that are memorable and interesting to laypeople;

- “proof” gathered from peoples’ observations of their lives and the lives of those around them;

- critical public consciousness that change is both necessary and desirable; and

- public dialogue, debate, and discourse.

MOBILIZING GREATER PUBLIC support and involvement is possible because of the legacy derived from decades of relentless effort in early care and education: Early education is validated as an investment strategy yielding dividends for both

It will take a social movement to establish these fundamental connections between early education and our national values, beliefs, and commitments.

teach. Virtually all (98 percent) of today’s child-care providers are women, a third of them women of color. Moreover, many professionals of color have expressed a sense of isolation and marginalization in policy discussions about children, lamenting that other leaders often “plan” and design changes for them without their input or advice. These inequities are bad for children, programs, and policy.

Such issues for communities and professionals of color are illustrative of the field’s need to better define itself in the minds of the general public. Searching for our own identity, we early educators have too often devoted great energy to our internal struggles and differences of opinion. Ultimately, though, real change will be dependent upon factors such as an organized and mobilized public, resulting from:

- how effectively we enroll external constituencies;

- how well we generate and embrace shared ownership of our issues with others;

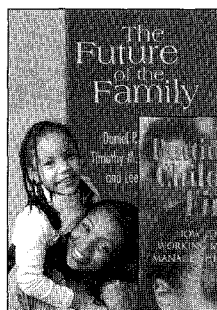
- the capacity to engage many generations (teens and elders) and family

the individual and for our society. Opinion leaders are convinced that early education is a “social good.” The data, without exception, speak to the impact of early care and education on early learning, high-school graduation, and even on later homeownership among participants.

But even greater outcomes might be anticipated—namely, the practice of democracy and the communication of clear social and cultural norms about what we value for our children. It will take a social movement to establish these fundamental connections between early education and our national values, beliefs, and commitments. At this crossroads, we can shift the paradigm from simply nurturing the at-risk child to promoting the best qualities within us all. Goodwill and good work have forged a pathway that makes movement building possible. ■

VALORA WASHINGTON is the director of Schott Fellowships in Early Care and Education at the Schott Foundation for Public Education in Cambridge, Massachusetts.

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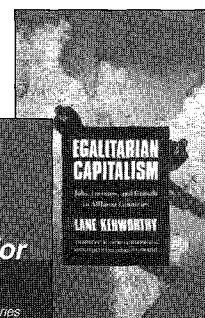
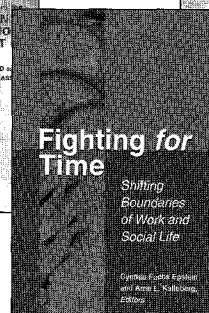
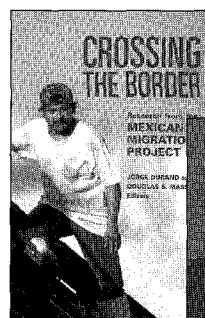
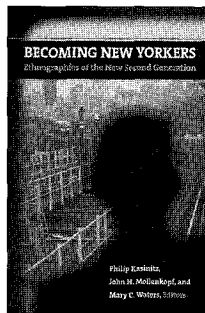
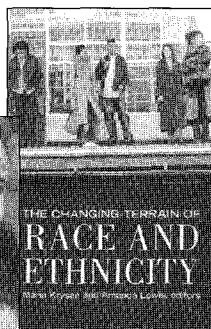
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Cloak and Swagger

The Larry Franklin spy probe punctuates the fierce feud within conservative circles over how to go after Iran. The neocons are arguing their case in the time-honored fashion.

BY LAURA ROZEN AND JASON VEST

TO WASHINGTON'S SMALL AND SOMETIMES FRACTIOUS community of Iran experts, it was becoming obvious: What to do about Iran and its fast-developing nuclear program was set to rival Iraq as the most pressing foreign-policy challenge for the person elected president in 2004. By the spring and early summer of this year, the city was awash in rival Iran task forces and conferences. Some recommended that Washington engage in negotiations with Tehran's mullahs on the nuclear issue; they drew scorn from the other side, which preached regime change or military strikes.

In late July, as this debate raged, a Pentagon analyst named Larry Franklin telephoned an acquaintance who worked at a pro-Israel lobbying group, the American Israel Public Affairs Committee (AIPAC). The two men knew each other professionally from their long involvement in the Washington Iran and Iraq policy debates. A Brooklyn-born Catholic father of five who put himself through school, earning a doctorate, as an Air Force reservist, Franklin had served as a Soviet intelligence analyst at the Defense Intelligence Agency until about a decade ago, when he learned Farsi and became an Iran specialist. At their July meeting, Franklin told the AIPAC employee about his frustration that the U.S. government wasn't responding aggressively enough to intelligence about hostile Iranian activities in Iraq. As Franklin explained it, Iran had sent all of its Arabic-speaking Iranian agents to southern Iraq, was orchestrating attacks on Iraqi state oil facilities, and had sent other agents to northern Iraq to kill Israelis believed to be operating there. Iran had also transferred its top operative for Afghanistan to the Iranian Embassy in Baghdad. The move,

Franklin implied, signified Tehran's intention to cause more trouble in Iraq.

A couple of weeks after this meeting, in mid-August, the AIPAC official was visited by two FBI agents, who asked him about Franklin. From the line of questioning, it wasn't clear to the AIPAC official whether Franklin was being investigated by the FBI for possible wrongdoing or if he was simply the subject of a routine background investigation for renewal of his security clearance.

But on August 27, when CBS broke the story that the FBI was close to arresting an alleged "Israeli mole" in the office of the Pentagon's No. 3 official, Douglas Feith, it became clear that Franklin was in trouble. News reports said that the FBI had evidence that Franklin had passed a classified draft

national-security presidential directive (NSPD) on Iran to AIPAC. What's more, reports said, the FBI wasn't just interested in Franklin. For the past two years, it had been conducting a counterintelligence probe into whether AIPAC had served as a conduit for U.S. intelligence to Israel, an investigation about which National Security Adviser Condoleezza Rice was briefed shortly after the Bush administration came into office.

In the flurry of news reports that followed, the scope of the FBI investigation seemed potentially enormous. Citing senior U.S. officials, *The Washington Post* reported that "the FBI is examining whether highly classified material from the National Security Agency ... was also forwarded to Israel," and that the investigation of Franklin was "coincidental" to that broader FBI probe. *Time* magazine reported that Franklin had been enlisted by the FBI to place a series of monitored telephone



The Accused: Pentagon analyst Larry Franklin

AP/WIDE WORLD PHOTO

calls (scripted by the FBI) to get possible evidence on others, including allies of Ahmad Chalabi, a favorite of Pentagon neoconservatives. Chalabi was alleged to have told his Iranian intelligence contacts that the United States had broken their communications codes—a breach that prompted a break in U.S. support for Chalabi last spring—and the FBI wanted to know who had shared that highly classified information with Chalabi. What's more, an independent expert on Israeli espionage said he had been interviewed by the FBI in June and in several follow-up calls, and that the scope of the senior FBI investigators' questioning was broad and extremely detailed.

In the wake of the first news reports, AIPAC strongly denied that any of its employees had ever knowingly received classified U.S. information. Israel also categorically denied that it had conducted intelligence operations against the United States since the case of Jonathan Pollard, a U.S. Navy intelligence analyst who was convicted of spying for Israel in 1987.

At the time the CBS report aired in late August—incidentally, on the Friday evening before the opening of the Republican national convention—custody of the Franklin investigation was being transferred from the head of the FBI counterintelligence unit, David Szady, to U.S. Attorney Paul McNulty, a Bush appointee, in Alexandria, Virginia, as the case moved to the grand-jury phase.

And then, in mid-September, news of the Franklin investigation went dark.

THE CLASSIFIED DOCUMENT THAT FRANKLIN ALLEGEDLY passed to AIPAC concerned a controversial proposal by Pentagon hard-liners to destabilize Iran. The latest iteration of the national-security presidential directive was drafted by a Pentagon civilian and avid neocon, Michael Rubin, who hoped it would be adopted as official policy by the Bush administration. But in mid-June, Bush's national-security advisers canceled consideration of the draft, partly in response to resistance from some at the State Department and the National Security Council, according to a recent memo written by Rubin and obtained by *The American Prospect*. No doubt also contributing to the administration's decision was the swelling insurgency and chaos of postwar Iraq.

Rubin, in his early 30s, is a relative newcomer to the neo-conservative circles in which he is playing an increasingly prominent role. Once the Iraq and Iran desk officer in the Pentagon's Office of Special Plans and later a Coalition Provisional Authority adviser in Iraq, these days the Yale-ed-

ucated Ph.D. hangs his hat at the American Enterprise Institute (AEI) and serves as editor for controversial Middle East scholar Daniel Pipes' magazine, *The Middle East Quarterly*.

In an article published in the Republican-oriented quarterly *Ripon Forum* in June, Rubin suggests that the administration resolve its Iran waffling by turning against the current regime. "In 1953 and 1979," he wrote, "Washington supported an unpopular Iranian government against the will of the people. The United States should not make the same mistake three times." In other words, President Bush should step up his public condemnation of the Iranian regime and break off all contact with it in hopes of spurring a swelling of the

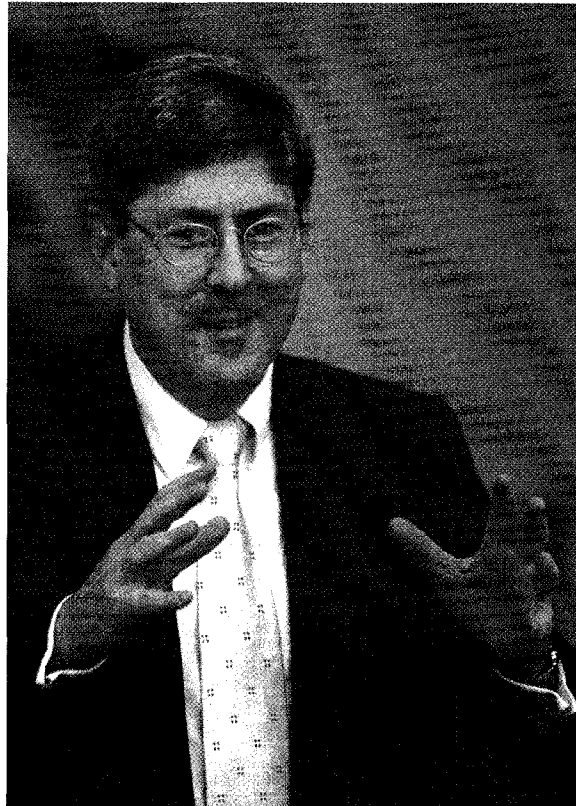
Iranian pro-democracy movement. In short, Rubin, like his fellow Iran hawks, urges the administration to make regime change in Iran its official policy.

This invocation of "moral clarity" has a long intellectual pedigree among neoconservatives. It's the same argument they made to Ronald Reagan about the Soviet Union more than 20 years ago. "If we could bring down the Soviet empire by inspiring and supporting a small percentage of the people," Michael Ledeen, a chief neoconservative advocate of regime change in Iran and freedom scholar at AEI, recently wrote in the *National Review*, "surely the chances of successful revolution in Iran are more likely."

Was it to this end that Franklin was allegedly observed by the FBI passing the draft NSPD on Iran to AIPAC? Was he trying to inform AIPAC, or Israel, about the contents of the draft NSPD?

Or rather, and perhaps more plausibly, was he trying to enlist the powerful Washington lobbying organization in advocating for a Iran-destabilization policy? In other words, is the Franklin case really about espionage, or is it a glimpse into the ugly sausage-making process by which Middle East policy gets decided in Washington and, in particular, in the Bush administration?

ARGUABLY PAST THE APOGEE OF ITS POWER, AIPAC NONE-theless remains one of Washington's most influential organizations. Successor to the Eisenhower-era American Zionist Council of Public Affairs, AIPAC came into its own during the Reagan years, thanks largely to the efforts of former Executive Director Thomas Dine. When Dine assumed his post in 1981, the organization had an annual budget of a little more than \$1 million, about two dozen employees, and 8,000 members; when he left in 1993, a budget of \$15 million was being administered by a staff of 158, and the committee had 50,000 members.



The Agitator: Regime-change hawk Douglas Feith

An assiduous networker and fund-raiser, Dine also quickly became indispensable to the Reagan White House as a promoter of various neoconservative foreign-policy initiatives. He also forged alliances between AIPAC and other interests, including the Christian right. (Another former AIPAC executive director, Morris Amitay, has long been active in neo-conservative ventures, as both a business partner to Feith and Richard Perle and co-founder, with Michael Ledeen, of the Coalition for Democracy in Iran.) By the mid-'80s, AIPAC had been a prime mover in the defeat or crippling of initiatives and legislators not to its liking, and the passage of billions in grants to Israel. It had also taken on an increasingly pro-Republican (and pro-Likud) tilt.

While many regarded AIPAC's power as lessened during the Clinton administration, since 2001 AIPAC has been powerful enough that even the Bush administration couldn't get the committee and its congressional allies to tone down language in a 2002 resolution in support of Israeli military actions against the Palestinians. AIPAC's 2002 annual conference included 50 senators, 90 representatives, and more than a dozen senior administration officials; this year's conclave boasted President Bush himself, plus House Majority Leader Tom DeLay and an array of State and Defense department officials.

Israeli policy-makers seem more inclined toward a military option, as evidenced by Israel's well-publicized purchase of 500 "bunker-buster" bombs from the United States in September and its failed efforts to launch a spy satellite to monitor Iran's nuclear-program developments.

Yet another policy position became evident in Seymour Hersh's article in *The New Yorker* in June, in which Hersh reported that Israeli Prime Minister Ariel Sharon, sensing that the U.S.-created chaos in Iraq could leave an opening for anti-Israel efforts in Iran, was pursuing a "Plan B" that had Israeli operatives covertly training and equipping Kurds in Iraq, Iran, and Syria for possible future covert action to counter any such measures. As Hersh reported: "Israeli intelligence and military operatives are now quietly at work in Kurdistan, providing training for Kurdish commando units and, most important in Israel's view, running covert operations inside Kurdish areas of Iran and Syria. ... Some Israeli operatives have crossed the border into Iran, accompanied by Kurdish commandos, to install sensors and other sensitive devices that primarily target suspected Iranian nuclear facilities."

The Israeli government insisted the story wasn't credible, and that it was sourced by Turkey, which is panicked, as ever, about foreign designs on Kurdistan. But a source told the *Prospect* that Franklin expressed the conviction that the

Rubin suggests that the administration turn against the current Iranian regime.

"The United States," he wrote, "should not make the same mistake three times."

But while AIPAC is a powerhouse, it is not clear that it would have been the perfect vehicle for the kind of Iran-destabilization lobbying that some in Washington have been pushing. There are a wide variety of Israeli positions on how to deal with Iran. Many of Washington's Middle East hands who are pro-Israel believe destabilization will not likely succeed, and they fear it will not deal with what they consider the real threat from Iran: nuclear weapons.

"If you mean trying to promote the peaceful overthrow of the regime in Iran, I think the prospects for success are highly uncertain," says Patrick Clawson, deputy director of the Washington Institute for Near East Policy, a pro-Israel think tank. Pro-Israel activists in Washington want to make sure that the United States considers Iran's nuclear program first and foremost an American problem, the response to which could include, if necessary, air strikes against Iran's nuclear facilities. Iran's nuclear program, one such activist recently told the *Prospect*, "has to be seen as Washington's problem."

There are other competing positions within the Israel-policy community. One Israeli official in Washington this summer for diplomatic meetings discussed regime change in Iran with a reporter from *The American Prospect* on the condition that his identity not be disclosed. He believes that Iran is ripe for democratic revolution, that it has one of the most pro-Western populations in the region, and that Iranian opposition forces would be electrified by a vigorous show of U.S. presidential support. But he believes that any sort of military intervention in Iran would set back considerably these promising regime-change forces. Still another group of

United States has intelligence that affirms Hersh's report to be largely accurate. A second former U.S. diplomatic official who recently visited the area told the *Prospect* that there are Israeli intelligence officials operating in Kurdish Iraq as political advisers, and others under the guise of businessmen.

All of which raises questions, like what exactly was in the draft NSPD that Rubin wrote and Franklin allegedly shared with AIPAC? And does the destabilization plan pushed by neo-conservatives in the draft NSPD in fact advocate that the United States or its proxies arm the Iranian opposition, including the Kurds, as part of its efforts to pursue regime change?

The public statements by the neoconservatives emphasize that regime change in Iran would not require U.S. military force. Then again, the neoconservatives' inspiration for the Iran plan has its roots in Reagan-era NSPDs that, while providing nonmilitary support to Poland's Solidary Movement, also had the CIA aggressively arming and training the Afghan mujahideen, the Nicaraguan Contras, and other anti-communist rebels. There's also no denying that some of the chief advocates of the Iran regime plot come out of the Pentagon, America's military command center. And some of those same Iran hawks have discussed the Iran regime-change issue, for instance, with Parisian-based Iran Contra arms dealer Manucher Ghorbanifar—not exactly the kind of go-to guy for a nonviolent regime change plan, one might think.

WHATEVER THE NUANCES, THE NEOCONS ARE FACING ONE of their biggest challenges in Washington today: persuading the administration to adopt their regime-change policy

toward Iran even while their regime-change policy in Iraq appears to be crumbling. Since the Iraq invasion, Feith's office has come under the intense scrutiny of congressional investigators, investigative journalists, and Democratic critics for its two controversial prewar intelligence units, the Office of Special Plans and the Policy Counter Terrorism Evaluation Group. It was those units that had helped convince the Bush White House of an operational connection between Saddam Hussein and al-Qaeda—a claim since disproved by the independent September 11 commission, among others. Those secretive intelligence units had also been among the administration's strongest champions of Chalabi, who allegedly told Iranian intelligence agents that the United States had penetrated Iranian communications channels.

An FBI counterintelligence investigation of who had leaked this information to Chalabi was reportedly under way by spring 2004, and many of Chalabi's neocon allies were incredibly anxious: Misjudgment about Chalabi's virtues or postwar Iraq planning was one thing; passing secrets to another nation would be an accusation of an altogether graver magnitude.

All of these investigations put Franklin and other neoconservatives associated with Feith at the white-hot center of a raging controversy: What would any second-term Bush foreign policy look like? Would controversial neocon figures like Feith remain in power? Or would it mark the rise of pragmatists and realists? For the neoconservatives, the fight to clear Franklin and themselves has become a fight against their internal administration rivals. And they're fighting it in classic neocon fashion: dirty and disingenuously.

Among intelligence professionals, it's hardly a state secret that even nations whose relationships go beyond mere alliance and constitute friendship spy on one another. That's one reason nations have counterintelligence capabilities as well. As such, investigations of espionage and mishandling of classified documents are not uncommon in Washington; the Bush administration's Justice Department, for example, has opened investigations to probe allegations of Chinese, Taiwanese, and Saudi espionage, including ones that involve ranking officials at the FBI and State Department. With the investigations into AIPAC and Franklin, the Justice Department has renewed its interest in snooping by our ally, Israel.

Since the Pollard case, U.S. intelligence and law-enforcement sources have revealed to the *Prospect* that at least six sealed indictments have been issued against individuals for espionage on Israel's behalf. It's a testament to the unique relationship between the United States and Israel that those cases were never prosecuted; according to the same sources, both governments ultimately addressed them through diplomatic and intelligence channels rather than air the dirty laundry. A number of career Justice Department and intelligence officials who have worked on Israeli counterespionage told the *Prospect* of long-standing frustration among investigators and prosecutors who feel that cases that could have been made successfully against Israeli spies were never brought to trial, or that the investigations were shut down prematurely. This history had led to informed speculation that the

FBI—fearing the Franklin probe was heading toward the same silent end—leaked the story to CBS to keep it in the public eye and give it a fighting chance.

But the pro-Israel lobby and some neoconservatives, fighting for their political lives, have turned the leak on its head. They claim that the AIPAC and Franklin investigations have nothing to do with the substance of the Iran-related leaks. Rather, they say, investigators are going after Jews. In the current probes of Franklin and AIPAC, Michael Rubin has led the strident charge. On September 4, during the media flap over the investigations, Rubin sent an e-mail memo—obtained by the *Prospect*—to a list of friendly parties targeting two of Washington's more respected mainstream journalists, calling them key players in an “increasing anti-Semitic witch hunt.” The memo fingered Deputy Secretary of State Richard Armitage as one likely source of the leaks about the investigation, and also urged that, if the accusations had any merit, the White House demand the evidence be made public. “I’m increasingly concerned about the leaks spinning off from the Franklin affair,” Rubin wrote. “It was bad enough when the White House rewarded the June 15, 2003, leak by canceling consideration of the NSPD. It showed the State Department that leaks could supplant real debate. ... Bureaucratic rivalries are out of control.” Rubin's memo showed up in a similar form almost a month later in the op-ed pages of *The Washington Times* under the byline of *National Review* staffer Joel Mowbray, and echoes of it can be seen in the pages of the neocon-friendly *Jerusalem Post*.

Meanwhile, Franklin was involved in some pushback of his own. In late August, the Franklin case was referred from Szady to U.S. Attorney Paul J. McNulty, a Bush-Ashcroft appointee who heads the U.S. District Court for the Eastern District of Virginia. A grand jury was seated on the case in September and had subpoenaed at least some witnesses to testify about Franklin. Then, on October 1, *The New York Sun* reported that Franklin had fired his court-appointed attorney (whom he had presumably retained for financial reasons), halting grand-jury proceedings while he found new counsel. On October 6, the *Los Angeles Times* reported that Franklin had stopped cooperating with the FBI entirely. He had hired a high-profile lawyer, Plato Cacheris (of Aldrich Ames and Robert Hanssen fame), and had rejected a proposed plea agreement whose terms Franklin considers “too onerous,” according to the *Los Angeles Times*.

Who pushed Franklin—who for months seemed vulnerable—to stop cooperating? And who is paying for his expensive new lawyer? At this writing, we do not know. Also unknown is the status of the larger FBI counterintelligence probe of alleged Israeli espionage into which Franklin stumbled. But we do know that his recent decisions would seem to immensely help any of the people against whom he could have testified. At least for now, that's a round won by a clique intent on pushing freelance crypto-diplomacy to its limits. ■

LAURA ROZEN reports on foreign-policy and national-security issues from Washington, D.C. JASON VEST is a *Prospect* senior correspondent.

The Good Guys

Tort reformers complain about “frivolous” lawsuits. But at a time when government has stopped protecting citizens, trial lawyers have become the regulators of last resort.

BY ALICIA MUNDY

ON JULY 5, JOHN EDWARDS SLIPPED INTO A HIGH-RISE AT One Boston Place to greet some of his and John Kerry’s top contributors among plaintiffs’ attorneys. At the offices of Robinson & Cole, Edwards shook hands with Alex MacDonald, a partner there who had helped raise \$600,000 for the campaign. Much of the crowd was in Boston for the annual convention of the Association of Trial Lawyers of America (ATLA). Edwards told his choir that plaintiffs’ lawyers were on the front lines of a war, defending everyday Americans from corporate fraud, dangerous drugs, deadly doctors, and toxic waste in school kids’ drinking water. Representative Ed Markey of Massachusetts, standing in the invitation-only crowd, cheered. It was, MacDonald said later, a fantastic speech, “reminding all of us why we do what we do—that we are the good guys.”

Most of America has not heard that speech, or anything like it. According to several political analysts, Democratic and Republican, Edwards has, with some direction from Kerry’s strategists, toned down his message about trial lawyers. In fact, during the second presidential debate against George W. Bush, Kerry waffled and wobbled in responding to accusations that his running mate was a personal-injury lawyer. Finally he blurted out that, like Bush, he and Edwards support “tort reform.” He responded like this because, thanks to a billion-dollar, decades-long public-relations campaign funded by industries and the U.S. Chamber of Commerce, trial lawyers are now synonymous in common parlance with baby snatchers and muggers. And instead of fighting back, terrified Democrats have buckled.

In the past two decades, business and allies in Congress have had phenomenal success in painting plaintiffs’ attorneys as un-American monstrosities who have burdened the nation with too many lawsuits. Supported by sometimes

bogus think tanks and studies, industry has created a massive advertising campaign, hammering on the folly of “frivolous” lawsuits. In late September, the Washington Legal Foundation’s ad in *The New York Times* went so far as to blast the Justice Department and John Ashcroft for taking sides with tort lawyers to sue the tobacco companies. The result is a mass perception that these suits have raised the cost of health care, insurance, cars, houses, fast food, gasoline, and liquor; have cut into business profits and therefore increased unemployment; and have distracted doctors from their jobs saving lives.

Most everyone has jumped on the bandwagon. *The Wall Street Journal*’s op-ed pages, FOX’s *O’Reilly Factor*, *Forbes*, *Fortune*, *BusinessWeek*, and all the network newscasts, not to mention Court TV, keep their audiences enthralled with tales of tort madness. Last December, *Newsweek* joined the converts with a cover story on how litigation is “paralyzing our professions,” displaying a huge picture of a priest, doctor, and law-enforcement of-

ficer looking like stunned deer in the headlights. The cover headline was “Lawsuit Hell.”

The problem is, tort reformers deliberately ignore one fact, and it is the fact that Edwards could, and should, emphasize about his profession: The average American needs the chance to bring civil suits because government—systematically over the last decade—has stopped protecting us. When corporate front groups complain about “regulation by lawsuit,” they are right: Without lawsuits, the government’s weakened rules do a poor job of guarding against bad drugs, bad doctors, corporations that shortchange their shareholders and pension funds, rollover cars, exploding tires, unstable buildings, poisonous waste, and undrinkable water. So it’s true: Trial lawyers have become the regulators of last resort. They are the only sheriffs left in town.



The Defense Rests: John Edwards has not exactly defended his profession.

TORT REFORM AND DEREGULATION BEGAN IN EARNEST IN 1994, when New Gingrich became speaker of the House and led the Republican Revolution to get government out of everyone's life, especially big business'. In the pharmaceutical arena, Congress worked out several "reforms" for the Food and Drug Administration, including a "modernization" act to speed up drug approvals and a law allowing drug companies to pay relatively inexpensive "user fees" to get their drugs quickly through the FDA.

In the financial industry, Congress passed the Private Securities Litigation Reform Act in 1995, which undercut opportunities for shareholders to challenge their boards and executives. There were moves in Congress and the current White House to paralyze the Environmental Protection Agency and its enforcement of forest protections and the Clean Air Act, and to undercut the Occupational Health and Safety Administration. And, despite 270 deaths linked to Firestone tire blowouts in 2000, the Bush administration attempted to weaken a law that would force tiremakers to install pressure monitors so consumers would know when their tires were underinflated.

Behind these actions were dozens of pro-industry lobbyists and organizations, heavily involved in drafting changes to legislation or executive orders. *The Washington Post* reported in September, that since the Bush administration assumed power, watchdog groups have found identical wording of coal lobbyists' position papers and new governmental documents related to looser rules on mercury pollution from power plants. Even now, industry leaders are on a campaign to undo rules regarding accounting practices, boardroom transparency, and shareholder rights.

"Regulation has gone south," says Brian Wolfman of Public Citizen's Litigation Group. "How can you ratchet down regulation and ratchet up shield laws protecting companies that make dangerous products? Even on its own terms, you can't make that argument."

Wolfman is particularly galled by recent attempts by the FDA's chief counsel, Dan Troy, to stifle product-liability suits against drugmakers in state courts. Troy scored victories against the FDA for the Washington Legal Foundation before he was named FDA counsel by the White House in 2001. Troy's new strategy would shield drugmakers from liability for failing to warn consumers about potentially hazardous side effects. In supporting Pfizer in one case in 2002, Troy filed amicus briefs arguing that only the FDA could determine

which warnings to consumers were necessary and that the FDA's labeling process "preempts" lawsuits at the state level by alleged victims.

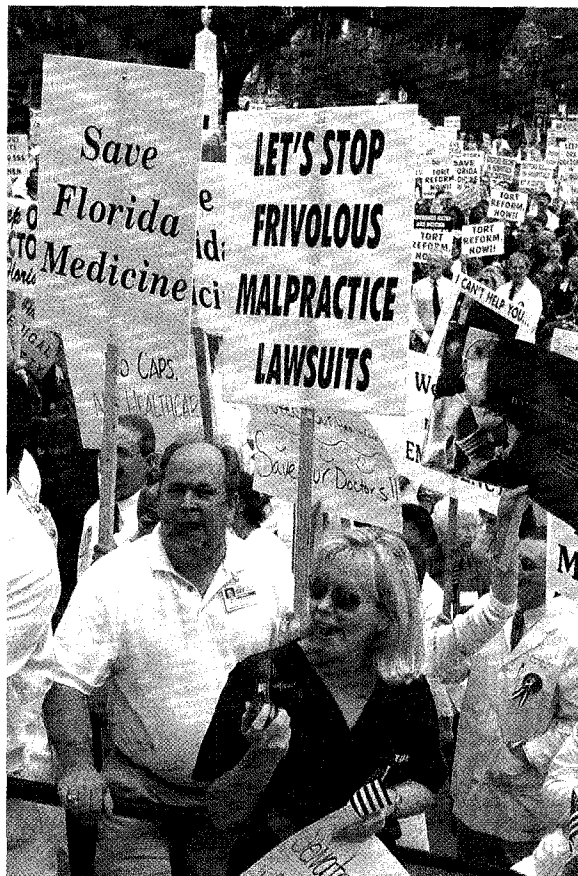
What has this regulatory rollback caused? On the medical front, nearly a dozen deadly drugs, approved during the post-1994 gold rush by the FDA, have since had to be withdrawn. These medicines, which have been linked to many deaths and injuries, include the billion-dollar baby Vioxx and the diet phenomenon Redux. Both drugs were marketed despite internal concerns at the FDA. On the environmental side, a recent series in *The Seattle Times* tracked the effects of a dozen calculated revisions of environmental rules by the Bush

White House and Congress: heavy diesel emissions by marine tankers on the West Coast, decimation of wildlife such as otter herds, and polluted commercial fishing waters. As for those pesky regulations on Wall Street, plaintiffs' lawyer Bill Lerach says, "[Congress] made the most far-reaching negative changes to federal securities laws, period." Lerach, who led suits against Enron, Martha Stewart's company, and WorldCom, asks, "Did we see more economic growth because CEOs were no longer disturbed by these lawsuits? Did we see job creation? No, we saw the largest surge in fraud in U.S. history."

NATURE ABHORS A VACUUM, and lawsuits have filled in the regulatory gap. Thousands of product-liability suits, hundreds of them death cases, have been filed over a dozen deadly medicines whose sales the FDA failed to curb. There are suits pending on issues as basic as dirty air, water, land polluted by commercial

farms, and lead paint, all because the federal government gave corporations a pass or moved in belatedly (and then only under public pressure from private lawsuits). To Wall Street's horror, there have been a half-dozen suits against major U.S. corporations in the past three years alone, filed by employees and shareholders who have lost their life's savings and pensions to boardroom shenanigans that the Securities and Exchange Commission didn't quash. "Lerach," wrote Jeffrey Toobin in *The New Yorker* in 2002, "[is] a poor substitute for the S.E.C. lawyer. ... But Lerach has thrived at least in part because the S.E.C. has grown weaker." Adds professor Amitai Etzioni of George Washington University in an October op-ed in the *Los Angeles Times*, "The truth is, there aren't too many civil lawsuits; there are too few. ... A 1990 Harvard University study found that only one out of eight patients who had a valid medical malpractice claim actually filed a suit."

It's also simply untrue that these suits are single-handedly



What's Up, Doc?: Doctors demonstrating against lawyers' fees, 2003

responsible, as industry would like us to believe, for driving up the cost of business and health care. While insurance companies have been increasing malpractice insurance rates more than 30 percent for many doctors in the past decade, lawsuits account for less than 10 percent of medical-care costs. According to a recent article in *The Washington Monthly*, studies show that bad investments in the stock market by largely unregulated insurance companies are responsible for higher insurance premiums.

As for those widely publicized punitive awards, which industry claims make it impossible for businesses to post a profit, they are, in fact, rarely paid. Fred Baron, former president of ATLA, says of these infamous multimillion-dollar punitive damages, "I doubt that 10 have ever been paid out." They almost always get settled by the winning plaintiffs, who need a quick settlement to pay their bills and can't wait out the numerous appeals by the corporate defendant. Baron notes that studies show that the overall cost of punitive damages is down since the mid-1990s, despite reports of wild verdicts in "judicial hellhole states." In 2001, punitive damages were only awarded in about 6 percent of jury civil trials, according to the Bureau of Justice Statistics, and the average payout was \$50,000. Furthermore, a Supreme Court case involving the State Farm insurance company in 2003 now lim-

to claim that revealing the information would aid their competitors. That leaves judges to open up the files. But most judges bow to a corporation's request for secrecy as one way to move a case forward, even when it involves the public's health. (Judges' reputations are often based on how fast they finish mass tort cases.) "No one is interested in representing the public here," says Alan Morrison, formerly top litigator with Public Citizen's Litigation Group. Plaintiffs frequently have no choice but to accede to the judge's demands to keep damning corporate evidence sealed in return for an early settlement.

"I learned the consequences of too much secrecy during the 1994 tobacco hearings," Lerach explains. "[Politicians] paraded these corporate execs before Congress" and listed the ways in which the smoking cases "distracted them" from their jobs. "The executives said, 'I couldn't sleep at night, I couldn't have sex with my wife, and we didn't do anything wrong.'" Yet, says Lerach, "We were sitting with documents in our hands showing corporate fraudulent behavior, and we couldn't make them public. 'I never forgot that lesson.'"

However, secrecy was upended during the fen-phen lawsuits. Lawyers found state judges who were willing to unseal documents from drugmaker Wyeth-Ayerst. Lawyers shared these, finally showing their clients, the press, juries—and the FDA—that Wyeth-Ayerst knew much more about the

Far from hurting average Americans, lawsuits perform a vital protective role. They force into public view information that companies desperately want to keep secret.

its punitive damages to a "rational" relationship to actual injuries suffered, with nationwide impact.

In fact, far from hurting average Americans, lawsuits perform a vital protective role. To begin with, they force into public view information that companies desperately want to keep secret. Regulatory agencies accede to "trade secrecy" agreements to obtain key information on products and company actions. And they have little incentive to undo these agreements when problems arise, because the hidden facts often show where the agency itself was complicit with the company in allowing mistakes to slip through. "The Environmental Protection Agency and the Food and Drug Administration don't dig for anything," says Thomas McGarity, a professor at the University of Texas School of Law and the president of the Center for Progressive Regulation. At the FDA, there is no equivalent to the National Transportation Safety Board, which comes in after a plane crash and independently determines what went wrong. When someone is hurt or dies after a drug reaction, the FDA usually just defends its own actions. Lawsuits are often the first opportunity for consumers, Congress, and the media to hear the facts. When one top FDA official declined to allow one of his doctors to testify for plaintiffs in the "fen-phen" disaster in 1999, he explained his decision at an internal FDA meeting, saying, "Surely a smart plaintiffs' attorney will figure out" how to get company insider information into court.

Defendant corporations also have their own mechanisms for keeping secrets. By labeling anything a "trade secret" or claiming "attorney-client privilege," they are legally permitted

dangers of its popular diet drugs much earlier than it had indicated. These revelations encouraged plaintiffs in other drug cases to push harder for unsealing documents. Similarly, in the Enron scandal, Lerach found a paper trail of executive misbehavior much earlier than government regulators. And with the help of congressional investigators, Lerach got more information, which he then revealed to the public, about Enron's blunders, thereby encouraging other employees to come forward with revelations. This in turn inspired New York Attorney General Eliot Spitzer to aggressively pursue corporate misfeasance, which finally moved the federal government to investigate recent major financial meltdowns.

There are other uses of liability lawsuits and punitive damages: They provide "retribution," which American justice certainly recognizes as a valid goal for crime victims. And, as in court cases involving common shoplifters and petty thieves, punitive damages are supposed to provide both a punishment and a deterrent effect. They are simply the most immediate way to make a company or industry behave appropriately toward consumers and investors.

ON JULY 6, REPUBLICANS WERE PREPARING THEIR ATTACK on John Edwards, who had just been named the Democratic vice-presidential candidate, and on Edwards' allies among tort lawyers. At the same time, *The New Yorker* broke a story about Vice President Dick Cheney's doctor, head of internal medicine at prestigious George Washington University Hospital and medical school. Dr. Gary Malakoff had been under treatment for five years of prescription-drug abuse. Yet

the D.C. Board of Medicine, which licenses Malakoff, had never been informed of this by the D.C. Medical Society, which tracks doctors with substance-abuse and professional problems. Malakoff, named on *Washingtonian* magazine's November 2002 "Top Docs" list, has been one of the physicians who has assured the media and the public for several years that Cheney's health is good.

This issue could have been fodder for the Democrats in this year's election campaign. But Democrats did not jump on the Cheney physician embarrassment. And, more generally, they have not pushed back at all with creative suggestions on liability lawsuits. They need to—both for political reasons and, especially, to protect Americans from the Republican one-two punch of deregulation and tort reform.

Luckily, they have some strategies they can use, if only they are willing. Democrats could defend lawsuits in terms of what they've led to for Americans: safer cars; safer hospitals; cleaner air; cleaner drinking water; more opportunity for blacks, women, and workers over the age of 50. Even racial desegregation grew out of a private lawsuit.

Democrats could also take a proactive role in promoting changes to some tort problems. They could push for a "sunshine policy" in hospitals regarding repeated malpractice settlements involving an individual doctor, which would save

victims according to a scale (as there are now in mass torts). Similarly, Democrats could press the notion that the courts must do more to improve so-called coupon class-action cases. This is an area of law where lawyers make millions and plaintiffs against, say, Blockbuster, get a bunch of free rentals.

Finally, Democrats could make a populist issue of the right to sue. As former ATLA President Leo Boyle noted, "It's been well-documented that tort reform penalizes children, women, the poor, and the elderly, while preserving most of the rights of the highest wage earners." For instance, lawyers are unlikely to sue a nursing-home chain for letting an 80-year-old woman die if the only award will be based on economic damages in her loss of life and potential income.

Instead of touting these arguments, Democrats have run for cover. As with Senators Chris Dodd and Joe Lieberman of Connecticut, Chuck Schumer of New York, and Mary Landrieu of Louisiana, Democratic politicians sometimes "throw business a bone," as one ATLA lobbyist explained, by backing a tort-reform bill and praying it won't really pass. They hope those votes will act as insulation against the charges that one supports the dreaded tort lawyers.

It's easy to see why Democrats slide here. The Chamber of Commerce's Institute for Legal Reform alone has spent about \$50 million on this issue in the past few years. "Corporate

Democrats need to push back—both for political reasons and, especially, to protect Americans from the Republican one-two punch of deregulation and tort reform.

hospitals money and patients their suffering or their lives. Regarding product liability, Democrats need to insist that the courts and Congress mandate an end to secrecy agreements and privacy labels when there's a disaster such as SUV rollovers or deadly drugs on the market. If judges would seriously sanction and fine recalcitrant corporate defendants who withhold documents from plaintiffs, payouts would not have to be so high and corporate defendants would not hide behind secrecy agreements and use stall tactics to outlast dying victims.

The Democrats could also fight back against the current elitist "solution" put forward by tort reformers: doing away with juries in these cases. Tort reformers, whose staunchest allies are GOP leaders, don't trust juries, especially in the "judicial hellholes" of West Virginia, Mississippi, Texas, and Illinois. Lawyers with the American Tort Reform Association complain that juries aren't always well-informed in complex medical, engineering, and corporate-finance issues. They say that judges educated in these issues (sometimes at industry-sponsored conferences) are better arbiters. Democrats could propose, as Edwards has, a more objective "screening" process by independent legal panels in the early stages of any lawsuit—before the cases get to a jury and allowing for panels' decisions to be revisited if new information is revealed.

In addition, Democrats could promote more widespread justice for those who have been hurt. McGarity says that in product-liability cases, there are too many examples of one plaintiff, perhaps not even the sickest, hitting the jackpot while other victims waste away in a federal tort case. Under "court reform," corporate funds would be set up to pay for

America's megaphone is more powerful than yours or mine," says Lerach. "You can't pick up a major magazine without seeing a full-page ad blasting litigation. These ads in *U.S. News* [*& World Report*], *Time*, and *Newsweek*, are directed at ordinary people. ... Why do a lot of intelligent 30-year-olds think there are too many lawsuits? It's imprinted on them," he says.

Edwards is almost alone among Democrats in fighting back, proposing reforms to the tort system's abuses even during the vice-presidential debate. Under his plan, any lawyer who filed three "frivolous" suits in a certain time period would lose the right to file another suit. In return, Edwards wants a three-strikes rule that says any doctor who loses three negligence suits in a similar time period would lose practice privileges—and it would be made public. Tort reformers and members of the American Medical Association like the first part of that suggestion. But they just can't get on board with the second. When it comes up, Baron notes, both sides suddenly shut up.

If Edwards gets into the White House, they may have to start talking about it. If not, the tort reformers on the right will continue to own this issue. And Americans will have lost both governmental regulation to protect consumers and the only alternative, lawsuits. Stopping this will require the Democrats to fight back—legislatively, judicially, and in the court of public opinion. Perhaps they should hire a good lawyer. John Edwards comes to mind. ■

ALICIA MUNDY is the author of *Dispensing With the Truth, about the fen-phen disaster, and a fellow at the New America Foundation.*

Currents

MEDIA



Pants on Fire: Some in the media are questioning their role in the “Swift”-boat scandal. But how many?

Swifter Than Truth

During the “Swift”-boat scandal, the press, supposedly being “balanced,” helped spread lies. Anyone believe that the press has learned a lesson?

BY TODD GITLIN

HISTORIANS OF THE MAD PAGEANT IN which Americans chose their president in 2004 will someday note with astonishment that the quote-unquote Swift Boat Veterans for Truth, many of its members inveterate liars more swift than truthful, succeeded in hijacking the presidential campaign for the better part of the month of August, nearly one-third of the total time left to John Kerry after his apparently triumphal convention.

The story of how candidate Kerry miscalculated the explosive power of the Swifties’ charges and thereby lost control of his campaign will someday be told, either in relief that the damage was eventually undone or dismay that

it was not. The story of how journalists performed as accomplices to liars and half-truth tellers, thereby buying them piles of publicity that money couldn’t have bought, can begin to be told now.

How did it happen? And if journalists did escort the Swifties into the lime-light with a bodyguard of publicity, why did they do that, and what should they have done instead?

Readers who spent August anywhere but on a desert island will recall that for two weeks, clips of the Swifties’ ads, with interview supplements, wallpapered FOX News, MSNBC, and CNN. Matt Drudge, Rush Limbaugh, and their fellow shovelers in the boiler room of

the Republican smear machine sweated away. Their claims then percolated into the rest of the media—the networks’ evening and morning news, the Sunday shows, the newspapers. For most of August, this was *the story*. Whatever Kerry said about health care, Iraq, and jobs instantly became Topics B, C, and D; “Swift”-boats were Topic A. A low six-figure ad buy became the slander heard ’round the world.

No one in the press corps knows more about Karl Rove and dirty tricks than Wayne Slater. *The Dallas Morning News*’ senior political writer, Slater co-authored *Bush’s Brain*, the 2003 exposé of Rove that is now also the subject (and title) of a devastating documentary, and wrote some of the first stories detailing the Swifties’ tactics and connections to Republicans.

“This is [Rove’s] pattern,” he told me. “Go after an opponent’s strength and leave no fingerprints.” Now, such dirty work is easier than ever. Right-wing noisemakers and their cable fellow travelers cow the media establishment. (Alison Mitchell, the deputy national editor of *The New York Times*, told *Editor & Publisher*, “I’m not sure that in an era of no cable television we would even have looked into [the Swift-boat story].”) “If basic media had largely not reported this when it was largely a phenomenon of the blog-Web-Limbaugh world,” Slater added, “there would still have been this powerful clamor: ‘Why don’t you guys go after this?’ Now that we’re yelled at so much by FOX News and Limbaugh, the error is to bend on the side of the charges. The Bush people win by sheer publicity.”

But Slater doesn’t know what else reporters could have done. “Our obligation is to report,” Slater says. “There are two things to say: one is, an organization is saying something; second, evaluate

whether these charges have any merit. I have a problem being used as a stooge to transmit information that may well be irresponsible. But if the gate's closed too much, I don't like that, either. I'm not positive that there was anything to be done that significantly changes this."

I remind Slater that a spring rumor linking Kerry to a young girlfriend was successfully confined to the right-wing fringe of Drudge and Co. Major networks and newspapers refused to touch the smear, at least long enough for the woman in question to come forward with a flat denial. That ended that.

Why not, then, hold the stories about the Swifties' ads until reporters had had a chance to read *Unfit for Command*, the book by John O'Neill, who's played Inspector Javert to Kerry's Jean Valjean ever since 1971. "A good idea," Slater says. "But it denies the idea of writing about conflict." There was, after all, already a Kerry version in the public eye: Kerry's entourage of crewmates, combined with Douglas Brinkley's book *Tour of Duty*, which enraged the Swifties.

After another week of thinking, Slater told Terry Gross on *Fresh Air*, "An alternative would have been somehow for all of us to have taken a breath and waited until we could evaluate the specific charges with respect to the medals, and then write ... that the charges themselves about the medals lacked merit."

The Swifties cracked the media code and aggressively exploited it. Story after story alluded indiscriminately to veterans contradicting one another—without clarifying that no documents supported O'Neill's slurs about Kerry's medals; nor did any of Kerry's crewmates. Reporters did not, in general, report that what seemed to be driving the Swifties was anger at Kerry's anti-war charges, the subject of their second ad. Not one reporter—besides, I must disclose, this writer, on *Salon*—cited the 1971 Vietnam Veterans against the War testimony on which Kerry relied (71 vets saying that they had witnessed war crimes and 13 more that they had committed them).

Instead, what emerged from much journalism was a messy picture of charges and countercharges piling up indiscriminately in a "vituperative," "hypernasty," "mean," "vicious" campaign. "Slime is slime," as Howard

Fineman and Michael Isikoff wrote in a *Newsweek* cover story—ugly lies, true accusations, and, later, the forgeries that CBS suckered itself into running with, all stirred together into a casse-rolle of indistinguishable slime.

What about exercising reportorial authority to call a falsehood a falsehood? Or is a reporter someone who nods and uh-huhs while talking heads declare that the Earth is flat? Sooner than take it upon themselves to say what the truth is, most American journalists feel professionally obliged to observe the rule of reticence. "I don't know that it's the media's responsibility to reply," Slater says. And he is a *knowledgeable* reporter.

Again and again during the Swift-boat affair, television opted for dumb-bunny neutrality. The cable yellfests' choices of guests are, shall we say, promiscuous. As one network correspondent puts it, "Because of job cut-backs now, a lot of the bookers are young and inexperienced." For two weeks after the first ad went public, O'Neill stated his views again and again without being called on them—not by George Stephanopoulos on ABC's *This Week*, nor by Wolf Blitzer (Chris Matthews, actually, challenged him).

On CNN, Blitzer stood mute when O'Neill told him, "I've had no serious involvement in politics of any kind in over 32 years"—either not knowing, not caring, or not considering it his job to note that O'Neill had contributed \$15,000 to Republicans since 1990. Blitzer was too busy relishing his "get" to address the little question of truth when Bob Dole, perhaps overdosed on Viagra, declared on his show that Kerry "never bled that I know of ... What I will always quarrel about are the Purple Hearts ... he got two in one day, I think." Later discussion on CNN focused on whether Dole was "mean," not whether he was telling the truth—which he wasn't. Blitzer chatted on, amiably.

While CBS and NBC barely disputed the Swifties' accusations, ABC correspondent Jake Tapper's reports were exemplary. He showed some of the Swifties contradicting themselves. He declared bluntly what other networks didn't. In his first piece, on *Good Morning America* on August 6, he chided the Swifties: "None of them

served with Kerry on his boat. His actual crewmates reject their charges." On *Nightline* on August 9, he referred to "these critics, only one of whom has served under Kerry's command." On *Good Morning America* on August 20, he said, "None of the charges are supported by naval records and all are contradicted by Kerry's crewmates." When he reported the charge by Larry Thurlow, a former Swift-boat commander, that Kerry had lied, he added, "This disputes naval records and Jim Rassmann," the sailor whom Kerry saved.

Slater, like other reporters, blames the Kerry campaign for reacting late. (One network reporter told me that the whole affair was "half Kerry's fault, half the press.") Why weren't they forewarned? The Swift-boat charges have dogged Kerry for decades. Slater says, "If the Kerry people had seen this, on day one they could have been there with their packet of information." If the Kerry campaign had tried an equivalent gambit against George W. Bush, he says, "Rove would have been ready." Instead, Kerry waited 15 days before going public against the Swifties. A Kerry staffer who asked to remain anonymous says, with weird passivity, "Before Kerry spoke to the issue [on August 19], not a single reporter ever said we should speak to it." But why should Kerry have taken his cues from reporters? The conflagration sucked two weeks of oxygen out of his campaign before he sent firefighters to help.

Newsweek's Trent Gegax, who covers the Kerry campaign, tells me that "Kerry himself was afraid that [if he rebutted the Swifties' first ad directly] it would hit the national news that night. The Kerry people dug themselves into a hole—relying on the media to do their job. They kept trying to defend something they shouldn't have to defend. Why didn't they say, 'Let's talk about where Kerry was and compare it to where George Bush was?' They didn't fight back hard. Ultimately, it's not the media's responsibility to do that work for them."

Someone who worked on the story for ABC News also faulted the Kerry campaign, saying: "When it came to the details of what actually happened in combat, we did not get a huge amount of help from the Kerry people. We've been

trying to get stuff from Kerry's side that they won't release. There's a big suspicion that this campaign hasn't vetted their own candidate." When the mud flew, Kerry staffers were unprepared.

Kerry spokesman Chad Clanton defends the candidate's wait-'em-out strategy. "It's always a difficult decision what issues to elevate," he says. "This group had spent less than \$200,000 on their ad buy and was getting only a marginal level of press interest." Against reporters' charge that the campaign wasn't quick to release its documentary evidence, Clanton insists: "We had all that stuff ready to go. We put his entire Navy file on the Internet."

As for his diaries and other writings of that time, Kerry "had an [exclusivity] agreement with Douglas Brinkley." But Brinkley tells me that Kerry "can do

whatever he wants" with the diaries, notebooks, and other Kerry materials he used for his book. "I don't own any literary rights to any Kerry materials."

Shoulda, woulda, coulda. August is toast. The Swifties were swifter than the journalists, swifter than Kerry's campaign, swifter than truth. "It was a ridiculous story," says *Newsweek's* Gegax. "It was ridiculous to carry on for weeks when the ads were built on claims that weren't backed up by any documentation. There were misstatements and out-and-out lies that kept this going."

Who wants to bet that journalism has learned? ■

TODD GITLIN is a professor of journalism and sociology at Columbia University and the author, most recently, of *Letters to a Young Activist*.

bizarre. America's Christian fundamentalists, dubiously, have also made common cause with Israeli ultras, and zealots like Lieutenant General William Boykin have described battles with Muslims as "my god was a real God and his was an idol." This set of events is unhealthy for our democracy, ominous for religious freedom, and an engine of a messianic foreign policy.

History judges religious zealots harshly, particularly those wielding state power. The Crusades slaughtered millions in the name of Jesus. The Inquisition brought the torture and murder of millions more. After Luther, Christians did bloody battle with other Christians for another three centuries. When the Founders of the American republic wrote the Constitution, they included no reference to God and barred the states, as well as the federal government, from requiring any religious oath for public office. The First Amendment guaranteed freedom of conscience, denying Congress the power to make any law "respecting an establishment of religion or prohibiting the free exercise thereof." The people of the original states varied in their religious tendencies, but the Founders were determined that the folly of religious war not wreck the American republic. A corollary insight was that keeping the government from regulating or requiring worship would be good for religion. American religiosity surely proves them right.

Constitutional separation, the great cause of Jefferson and Madison, reflected an Enlightenment determination both to bolster reason over faith in civic deliberation and to protect minorities from the tyranny of majorities, including religious ones. A great milestone on the road to the constitutional separation of church and state was the Virginia Act for Establishing Religious Freedom, enacted in 1786. Jefferson, the moving force behind the law, wrote that it was "meant to comprehend, within the mantle of protection, the Jew and the Gentile, the Christian and the Mahometan, the Hindoo, and infidel of every denomination." As Jefferson saw it, "Millions of innocent men, women, and children, since the introduction of Christianity, have been burnt, tortured, fined, im-

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BY ROBERT KUTTNER

I. ONWARD, CHRISTIAN SOLDIERS

The United States enjoys higher levels of religious observance than any Western nation with an official church. Yet the religious right and its political allies are far from satisfied. They would like to accomplish what the Founders explicitly disavowed: to entangle the state

in the promotion of religion. At a time when the United States and other Western countries are resisting Islamist holy war and attempting to convince Muslims in Iraq and elsewhere of the virtues of a pluralist democracy, the project of the religious right to inject God into government is ill-advised, if not

prisoned; yet we have not advanced one inch towards uniformity. What have been the effects of coercion? To make one half of the world fools, and the other half hypocrites."

For at least two decades, the religious right, in arguments summarized in Richard John Neuhaus' 1984 book, *The Naked Public Square*, has contended that modern secularists and runaway courts have stripped God from the Constitution and the republic. But the record is precise: The Founders separated church from state, deliberately and after extensive, documented debate.

Chase also persuaded Lincoln to monkey with the Gettysburg Address after the fact, adding the words "under God" to its famous last sentence. Those words do not appear in Lincoln's handwritten copies of the first or second draft but were added, according to Jacoby, in three subsequent copies that Lincoln wrote for the historical record.

Let us stipulate that America's religious roots run deep and are an important source of our values as a people. E.J. Dionne Jr., a liberal Catholic, exaggerates only slightly when he writes, "[T]he history of the United States is in

for 200 years. Not until the 1980s, when Ronald Reagan threw himself at fundamentalists of various faiths, did the Baptists switch camps.

While religious minorities, especially devout ones, continue to enjoy protection of their rights in the United States, the spirit of rationalism is taking a real beating. Religious dogma dictates administration policy on stem-cell research, gay rights, and the use of condoms to combat AIDS, and the White House is determined to use religious groups as sponsors of tax-funded social programs. The right detests "social engineering," except in service of the traditional family, heterosexuality, religious dogma, and worship itself. Centuries after the supposed triumph of reason and religious tolerance, the new millennium has begun with a return to religious fundamentalism and holy war.



Burning Bush Not Included: Alabama Judge Roy Moore's Ten Commandments monument, 2003

IN HER BRAVE BOOK *FREETHINKERS*, Susan Jacoby lays out the history of the often lonely battle to protect religion from government, and vice versa. As Jacoby demonstrates, it was actually latter-day zealots who endeavored to insert God into the Constitution retroactively. In 1863, Protestant conservatives formed the National Reform Association to lobby Lincoln to amend the Constitution so that it would acknowledge "Jesus Christ as the Governor among the nations." That effort failed, but Lincoln's secretary of the treasury, Salmon P. Chase, the most religious member of Lincoln's cabinet, successfully hectoring Congress and Lincoln, who never belonged to a church, to add "In God We Trust" to the nation's coins.

large part a history of religion's role as a prod to social justice, inclusion and national self-criticism." Yet many denominations have themselves been strict separationists—out of regard for religion. Jefferson's secular republic was the fruit of a tactical alliance between freethinking Deists like himself and evangelical denominations like the Baptists. Evangelicals held that the individual Christians communicated directly with the divine, with no intermediation by a priest, much less by the state. More practically, they feared that if the United States were a Christian republic, majority denominations such as Anglicans and Calvinists would gain effective control at their expense. Most Baptists remained strict separationists

II. THE MOOR'S LAST SIGH

Consider the last great period of religious tolerance before 1789—a full thousand years before, in fact. Its sponsors, interestingly, were Muslim. Our guide is Maria Rosa Menocal, author of the splendid *Ornament of the World*.

At Córdoba, in Andalusia beginning in 755, the Umayyad Muslims, under Abd al-Rahman and his descendants, built a civilization of tolerance that lasted almost 300 years. The Umayyads of al-Andalus were liberals, by far the most pluralistic and intellectually progressive regime in what the West remembers as the Dark Ages. While Visigothic Christians just to the north were sacking the remnants of Roman civilization, the Umayyads were building temples of learning, aqueducts to supply public baths with running water, and hundreds of mosques. The main library had 600,000 volumes. The caliphate at Córdoba decreed that Jews and Christians, as fellow Abrahamic "Peoples of the Book" (the Arabic word is *dhimmi*), should be treated with respect, if not quite civic equality. All this antedates the western Enlightenment by more than half a millennium.

Jews and Christians practiced their religious freely but "became thoroughly Arabized," Menocal writes, as Arabic was the language of government, commerce, and poetry. The yeasty culture of Arab-

ized but freely worshipping Christians and Jews was known as *mozarab*, which Menocal delightfully translates as “wanna-be Arab.” But this “culture of tolerance” fell apart, Menocal explains, when “more puritanical visions of [Muslim and Christian] cultures converged.” Ousted by more fundamentalist Muslims, the Umayyad dynasty collapsed against a backdrop of Christian “Reconquest,” and, beginning in 1095, the Crusades. The clash of two fundamentalisms “made religious-ideological warfare a reality, cultural orthodoxy a real possibility, and monochromatic identity a realizable ideal.”

At Granada, the Muslim Nasrid dynasty survived until January 1492, when the last Arab ruler of al-Andalus, Boabdil, his fortress-city surrounded, literally handed over the keys to the Alhambra to Ferdinand and Isabella, who pledged in return to honor the Muslims’ freedom to worship. Within a year, however, all Muslims and Jews were ordered to convert or face exile. Boabdil’s ouster and ignominious departure to Morocco was known as the Moor’s Last Sigh.

After the expulsion, Ferdinand and Isabella, known as Spain’s Catholic Kings, went on a cultural rampage of ethnic cleansing. Soon, even Muslims and Jews who had converted were considered suspect and subjected to the Inquisition. A successor, Charles V, over the objection of the town council, ordered a Catholic cathedral built inside the Great Mosque of Córdoba. This travesty must be seen to be believed. But the mosque is so immense and serene that it seems to swallow up the cathedral unmolested. At the exquisite Alhambra, Charles V turned mosques into churches and ordered construction of an incongruous Italianate palace for which his successors never found a use. This is all deeply etched in the Muslim memory of the West. In Toledo, the great synagogue built during the *convivencia* by Samuel Halevy was converted into a church known as the Transito, to be rescued as a Sephardic museum only in the 20th century. Halevy himself, a minister and physician to a Christian king, was executed when Jews were held responsible for the Great Plague.

Menocal writes, without bothering

to underscore the obvious deadly parallel, that Iberia’s “Jews understood themselves to be Andalusians and Córdobaans, much as the German Jews of the late 19th Century ... considered themselves Germans, or the American Jews in the second half of the twentieth century, who helped define the literary and intellectual qualities of their time, never thought twice about calling themselves Americans.” Two of those three Jewish experiences did not end well.

TO APPRECIATE THE TENUOUSNESS and contingency of state toleration of religious minorities, one can read Maria Menocal against Amos Elon’s *The Pity of It All*, the definitive concise history of Jews in Germany. Elon begins with Moses Mendelssohn, who arrived in 1743 to study the Talmud with one of the few rabbis permitted in Berlin. By

1919 Weimar constitution did Jews attain full civil rights, and by then it was too late. The more they embraced Weimar, Elon writes, the more it was discredited as a “Judenrepublik.” Elon’s contribution is to contextualize the Holocaust in Germany’s earlier political and cultural history. He does not suggest that Hitler was inevitable, only that his rise was made possible by the civic illiberalism of the German experience.

In Andalusia, Jewish high civilization lasted more than three centuries; in Germany it lasted less than two. Like the Jews of Córdoba, Toledo, and Granada, the Jews of Berlin and Frankfurt could speak the language often better than the natives; they could be eminent scientists, bankers, physicians, poets, composers, and ministers to kings—but not quite Germans. And it all could be wiped out on the whim of a new ruler.

Centuries after the supposed triumph of reason and religious tolerance, the new millennium has begun with a return to religious fundamentalism and holy war.

the 1790s, in the span of one man’s lifetime, Mendelssohn became renowned as a German philosopher, and a thin stratum of Jewish intellectuals, bankers, scientists, and literary figures had become, provisionally, German. “Their overriding desire,” Elon writes, “was to be complete Germans” and to embrace the quintessentially German project of *bildung*, or intellectual and moral self-cultivation. But this embrace, as Elon recounts, was far from reciprocal.

Despite the high culture of Kant and Goethe, the German version of the Enlightenment was politically stunted. Anti-Jewish spasms, both popular and elite, punctuated the 19th century. By the 1890s, Germany was a semi-democracy, with an elected parliament and a mostly free press, but Jews were not full citizens and could not serve in the German officer corps. While America had officially separated church from state, Otto von Bismarck’s cruder Kulturkampf of the 1870s limited the power of the Catholic Church but did not make free religious expression per se a constitutional right. Only under the

As the third great locus of flourishing Jewish assimilation since Jews were expelled from biblical Israel, the United States has a far better entrenched tradition of cultural tolerance, as well as a Constitution built on minority rights and on separation of church and state. So far, the successful experiment has gone on longer than in Germany, shorter than in Andalusia.

III. AMBUSHED BY HISTORY

Interestingly enough, the lead jacket quote for Susan Jacoby’s indispensable book comes from Philip Roth. “In the best of all possible Americas,” Roth writes, “every college freshman would be required to take a course called ‘The History of American Secularism.’ The text would be Susan Jacoby’s *Free-thinkers*, as necessary a book as could be published in the fourth year of the ministry of George W. Bush.”

In his new novel, *The Plot Against America*, Roth imagines that Charles Lindbergh ran for president in 1940 and ousted FDR. The real Lindbergh, a folk hero for his aviation exploits, was an

admirer of Hitler and an America First isolationist. Had he been elected, Roth proposes, he would have negotiated a nonaggression pact with Hitler, and American Jews would have been at risk. Roth is not out mainly to write a work of historical fiction, much less a Nazis-in-America thriller. His interests, as usual, are mainly domestic, with history as the backdrop. In a second imaginative leap even more dazzling than the first, he explores how a Lindbergh presidency would have split the American Jewish community, including Roth's own family.

And so we are transported to the Roth dinner table in 1942, where the author's family is sundered by the recurring question that has periodically vexed and divided Jews since biblical times: how to deal with a hostile ruler. Roth

could question the patriotism of American Jews: "[T]hough Ireland still mattered to the Irish and Poland to the Poles and Italy to the Italians, we retained no allegiance, sentimental or otherwise, to those Old World countries that we had never been welcome in and that we had no intention of ever returning to." But these words were written in 2004, with full knowledge of everything that has happened since the 1940s. Today, many American Jews do look to another country.

I recently heard Pat Buchanan, in a public-radio roundtable on the folly of Bush's Iraq policy, declare, "The only three people in the world who wanted us to invade Baghdad were Ariel Sharon, Osama bin Laden, and Richard Perle ... I mean, you read Norman Podhoretz and he's talking about in-

Today Philip Roth is genuinely worried about rising anti-Semitism in America—but hardly in the same way that the established Jewish leadership is.

uses as characters his actual family. Philip at 9 is trying to comprehend it all. His father, Herman Roth, is a strict FDR man, appalled at Lindbergh. But his mother's younger sister, Beth, marries a collaborationist rabbi who opportunistically becomes Lindbergh's court Jew.

Roth imagines that President Lindbergh devises a scheme, the Office of American Absorption (OAA), to disperse Jews to remote corners of the American heartland, the implication being that Jews are insufficiently Americanized. It's a milder version of Nazism, perhaps a harbinger of the real thing. But Philip's beloved older brother, Sandy, spends a coming-of-age summer working on a Kentucky farm as part of an OAA program. He becomes a Jewish youth spokesman for the OAA, under the rabbi's patronage. When Herman forbids his elder son to have anything more to do with the Lindbergh program, the rabbi denounces the Roth family, which finds itself ordered to resettle in Kentucky, against a background of rising anti-Semitism.

The 9-year-old Philip expresses disbelief that Lindbergh, or anyone else,

vading six or seven countries over there." Gentile offenders Donald Rumsfeld, Condoleezza Rice, and Dick Cheney, presumably manipulated by all these court Jews, escape Buchanan's scorn. Buchanan is not considered a respectable critic. But the reckless writings about the road to Jerusalem leading through Baghdad are inviting trouble.

Roth, midway through a prepublication essay in *The New York Times Book Review*, explicitly disclaimed any attempt to invite parallels with the present. I don't quite believe him. For he also wrote, in the stunning conclusion of that essay:

And now Aristophanes, who surely must be God, has given us George W. Bush, a man unfit to run a hardware store let alone a nation like this one, and who has merely reaffirmed for me the maxim that informed the writing of all these books and that makes our lives as Americans as precarious as anyone else's: all the assurances are provisional, even here in a 200-year-old democracy. We are ambushed, even as free Americans in a powerful republic armed to the teeth, by the unpredictability that is history.

IMAGINE, THEN, ANOTHER FANTASY novel about anti-Semitism: It's 2006, and George W. Bush, in his second term, decides that his tactical alliance with Israel no longer serves his purpose. It is, after all, a lightning rod for Arab hostility, and it's harder to face the wrath of 1.3 billion Muslims than 5 million American Jews. Because Iraq has gone badly, Bush wastes no time in dispatching Jewish neoconservative advisers like Douglas Feith and Paul Wolfowitz. Except for a few foreign-policy hawks, virtually nobody in the Bush inner circle is Jewish, so the usual constraints against this abrupt policy shift are almost nonexistent. The support of born-again Christians is not exactly a reliable bulwark. (Leon Wieseltier has perfectly characterized the entente between Zionists and Christian fundamentalists as "a grim comedy of mutual condescension.") In this new climate, the Christian right abandons the Jews, as it often has. The next, less reptilian versions of Buchanan start appearing regularly on talk radio and TV. The question of whether Jews and Zionists have too much influence becomes a subject for mainstream debate. It's hardly Hitler, but the gentleman's agreement that places criticism of the Israel lobby or of "Jewish influence" beyond respectable public discussion (even on otherwise lunatic right-wing—and substantially goyish—mass media like FOX or Rush Limbaugh) is suddenly inoperative, and American Jews, as in Roth's Lindbergh nightmare, are suddenly in harm's way.

An earlier Roth novel, *Operation Shylock* is built around the premise that Zionism, like Nazism, was a historical mistake and that the new Jewish project—Roth invents an imaginary, counter-ideology called "Diasporism"—should be to repopulate the place where Jewish civilization reached its cultural and artistic zenith: Europe. A return to Europe would save Jews from a second extermination in the far more dangerous Middle East. In Roth's 1986 novel, *The Counterlife*, the stand-in for the author finds British anti-Semitism insidious and Israel's anxious insecurity terrifying. On a visit to Israel, he is repeatedly disparaged as a weak, self-hating, privileged, diaspora Jew. But an Israeli journalist friend tells the Roth

character, "This, you understand, was supposed to be the place where to become a normal Jew was the goal. Instead, we have become the Jewish ob-
 sessional prison par excellence! Instead, it has become the breeding ground for every brand of madness that Jewish genius can devise!" The Roth figure says at one point, "In the long run, I might be far more secure in my homeland than [Israeli Jews] in theirs."

A novelist can possibly get away with this. Journalists who raise such questions find themselves rebuked and often marginalized, and mainstream politicians who question the basic thrust of America's Israel policy are dispatched from office before they know what hit them.

Roth, of course, has never been solicitous of the Jewish establishment, beginning with the pained embarrassment that his early works caused. At a time when Jews were trying, with dignity, both to assimilate as good Americans and to honor their culture and the tragedy of the Holocaust, Roth was telling awkward family secrets about pompous rabbis, conniving Jewish GIs, and his own obsession with luscious shikshas. Today, Roth is genuinely worried about anti-Semitism in America—but hardly in the same way that the Jewish establishment is.

IV. STANDING WITH ISRAEL

In one of several recent books about the new anti-Semitism, *Never Again?*, the Anti-Defamation League's indefatigable Abe Foxman recounts the worldwide upsurge of anti-Jewish violence. He cites multiple causes, from the intifada to the Internet, including the religious right, though he applauds the Christian right's embrace of Israel. Forty percent of Europeans and 24 percent of Americans, Foxman reports, now agree with the statement that "Jews have too much power" in business and finance. Tellingly, 53 percent of Europeans associate the upsurge in violence against Jews with "anti-Israel sentiment." The rising anti-Semitism that Foxman describes is real. Yet he can't bring himself to consider whether Israel's behavior, and the Israel-right-or-wrong mentality that the Sharon government promotes among diaspora

Jews, might be contributing causes of anti-Jewish feeling. Instead, he insists tautologically, "What some call anti-Zionism is, in reality, anti-Semitism, always, everywhere, and for all time." If Foxman's circular reasoning is true, nobody but a bigot may criticize the actions of the Sharon government, no matter how much its policies isolate Israel or put the Jews of Israel and the diaspora at risk.

I recently spoke at a liberal Jewish congregation. Over the temple entrance hung a huge banner, "We Stand with Israel." What does that mean? The biblical Israel? The worldwide children of Israel? The survival of the modern Israeli state? The Sharon West-Bank policy? Or all of the above, neatly conflated?

The slogan is promoted by United Jewish Communities, a partner organization of the Jewish Agency for Israel and the Joint Distribution Committee, which is to say the government of Israel. Nearly every mainstream American Jewish group has participated in "We Stand with Israel" rallies, ads, and kindred campaigns. But isn't this a little incautious? As Susan Jacoby observes, the charge of dual loyalty was historically leveled mainly against American Catholics, often with good reason, given the hierarchy's determination to impose papal doctrine on U.S. public policy. Until recently, strict-separationist Protestants were particularly worried about Catholic efforts to win tax support for parochial schools. Lately, many Protestant fundamentalist denominations have discovered the joys of ecumenical breaches of the wall between church and state, and one no longer hears the charge of Catholic dual loyalty. But go to far-right Web sites and you will certainly hear of Jewish dual loyalty. And while the Catholic hierarchy certainly knows how to work Congress and the White House, when did you ever see throngs of Catholics marching behind a banner reading "We Stand with Rome"?

Discussing the case of Larry Franklin, the Pentagon official reported to have passed classified secrets to the Israelis, Nathan Guttman writes in *Ha'aretz*, "When the next person gets up and tries to claim that Israeli interests are dictating American foreign pol-

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icy, American Jewish community leaders won't be able to settle for charging groundless anti-Semitism. They will instead be called on to provide an explanation as to what representatives of the pro-Israel lobby were doing in Franklin's office, an office that dealt, among other things, with formulating the plans for the war in Iraq."

Israel's expansionism into biblical Judea and Samaria is partly geopolitical, but it is also substantially theological. However, though Jewish neocons played a role in the formulation of America's Iraq policy, the prime of-

democracy, which implies that their people will take an active part in shaping their governments. But secondly, they insist, the indignity of America's occupation of Iraq, the proclamations of Christianity on the march, the alliance with corrupt and hated regimes such as the Saudis, and the ongoing wound of Israeli disruption of Arab daily life in Gaza and the West Bank have only trivial effects in turning ordinary Arabs against the United States. Both things cannot possibly be true.

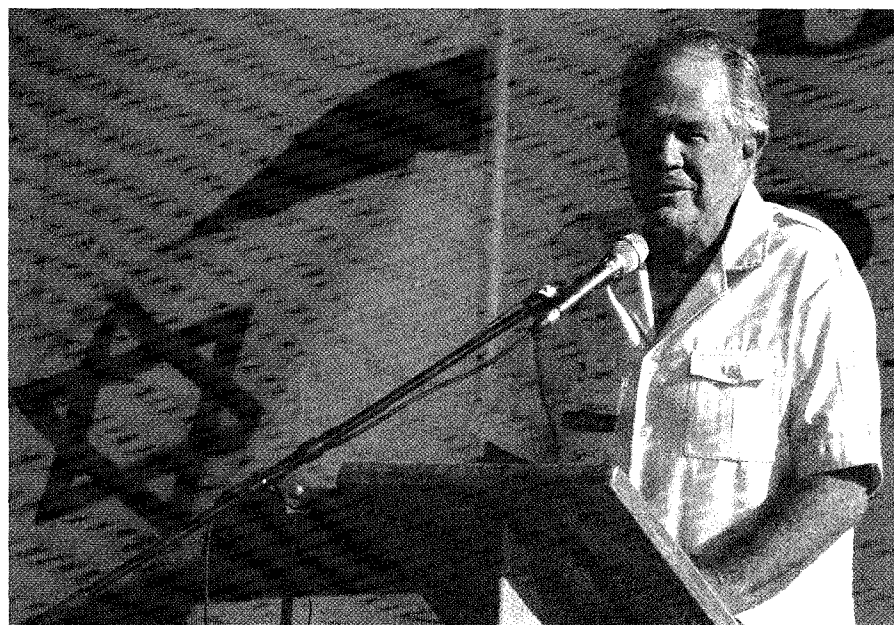
Indeed, the Muslim states with some semblance of civil society, as well

gressives. Social justice is part of the tradition of every great faith, and we surely need a stronger religious left. But there is something naive about the way many religious progressives engage the religious right.

For starters, the shared Orwellian language is troubling. If we mean "religious," let's say religious. The treacly phrase "faith-based" was coined by the right as a warm and fuzzy euphemism to camouflage the effort to enlist the state in the army of God. It diverts attention from the real debate about the proper nexus between government and religion, and evokes instead the faithful individual congregant. Worse, some on the religious left see those on the religious right as sometime allies in a shared struggle to resist creeping secularism. But there's an iron law of religious zealotry: Breach the church-state wall and a zealot whose beliefs are more dogmatic and dangerous than yours will seize the opening.

E.J. DIONNE JR., JEAN BETHKE ELSHTAIN, and Kalya Drogosz recently published an edited collection, which grew out of the Pew Forum Dialogues on Religion & Public Life, with the slightly alarming title *One Electorate Under God?* (One is grateful for that question mark, though it seems almost an afterthought.) The best part is the opening dialogue between former New York Governor Mario Cuomo, in the role of liberal Catholic secularist, and Congressman Mark Souder, a conservative Republican evangelical from Indiana. Cuomo, knowing too well the dogmatism of his own church, makes a heroic defense of personal and constitutional strict separation. "The question for the religious public official," he says, "is not, 'Do I have the *right* to try to make public law match my religious belief?' but '*Should* I try?'" [italics original] Cuomo adds that during his tenure as governor of New York, the Catholic ban on birth-control devices was reaffirmed by the pope. However, as a public official sworn to serve the entire community, Cuomo could not let Catholic doctrine dictate public policy.

Souder is having none of it. "To ask me to check my Christian beliefs at the public door is to ask me to expel the



Unholy Alliance: Pat Robertson in Israel, October 2004

fenders were Cheney, Rumsfeld, and Rice—neither Jews nor neocons. Moreover, American liberal Jewish leaders took great risks to make it politically safe for Bill Clinton to apply pressure to both the Israelis and the Palestinians to pursue a peace settlement that entailed a substantial Israeli withdrawal. Yet as the United States bogs down in Iraq and as the Israeli-Palestinian stalemate becomes more dire, questions about Israel's policy toward Palestine and America's policy toward Israel will be asked, and not always politely.

The road to durable peace in Jerusalem, it turns out, is not exactly leading through Baghdad. The architects of American expansion in the Muslim Middle East make two contradictory arguments. First, they contend, Islamic countries are capable of Western-style

as the ones that Jeanne Kirkpatrick might term acceptably authoritarian, have one thing in common: All threw off earlier local despots and/or Western colonialism in their own local, unique ways. That describes Egypt, Algeria, and Morocco, as well as Turkey, Indonesia, and Pakistan. The others are still either kingdoms or theocracies, or both. Not one, with the very partial exception of the Philippines, grew into a democracy thanks to Western occupation and tutelage, much less American missionary zeal.

V. FAITH AND HOPE

So who, if anyone, will restrain the forces of religious certitude in the United States? Lately the idea of a resurgent "faith-based" left has become a holy grail, as it were, for faltering pro-

Holy Spirit from my life when I serve as a congressman, and that I will not do. Either I am a Christian or I am not. Either I reflect His glory or I do not." What a great brief for strict separation! As the Founders appreciated, anyone who believes he is getting revealed truth is beyond logical argument and evidence. Why would you compromise if you had the word directly from God?

To paraphrase Souder, either you get Jefferson or you don't. Leon Wieseltier, no stranger to religion, wrote, after observing Michael Newdow's surprisingly persuasive Supreme Court appearance in his legal efforts to have "Under God" stricken from the Pledge of Allegiance, "It is never long before one nation under God gives way to one God under a nation." The Souders of the world will not be appeased until they tear down the church-state wall, and they must be resisted, not constructively engaged.

With a few exceptions like Martha Minow and Rabbi David Novak, the liberals in the Dionne volume are depressingly polite to their far more dogmatic conservative counterparts, and their common ground is mostly a welcoming of religious teaching into the public square. Novak observes, trenchantly, "The State should be the beneficiary of ... prior moral convictions, not their benefactor nor their origin." But little is said about the plain extremism of Bush and the religious right, or the value of maintaining strict separation in a secular republic—for the sake of religious liberty. My friend Alan Wolfe, a liberal who heads a center for religion and American public life at the Jesuit-sponsored Boston College, writes, astonishingly: "When, to take one prominent example, a judge constructs a 5,000-pound monument of the Ten Commandments and puts it in a courtroom, his in-your-face assertions of his religious convictions clearly violate the rights of others and should not be permitted. But when politicians bring their religious convictions to bear on whether they favor limiting research into stem cells or support public assistance to faith-based charities, we ought to respect them for elevating the seriousness of our public conversation even if we disagree with the positions they take."

I appreciate the tightrope that Wolfe

walks, but has the bar of civic discourse been so lowered that politicians who would subordinate science to dogma are now praised not just as a lesser evil but as welcome partners in dialogue?

VI. JEFFERSON WEPT

Ecumenism is no substitute for a secular Constitution. Al Gore thought he had the perfect antidote to the Christian right in Joe Lieberman. In the 2000 campaign, Lieberman did his bit to weaken the wall between church and state, declaring, "[I]n recent years we have gone far beyond what the Framers intended in separating [church and state] and constructed a discomfort zone for even discussing our faith in public settings—ironically making religion one of the few socially acceptable targets of intolerance." That would

minorities, denying an Air Force psychologist the right to wear a yarmulke in deference to military discipline, and denying the Native American Church the right to use peyote in traditional ceremonies.) In two landmark decisions, the Rehnquist Court in 2000 struck down earlier limitations on state subsidy of educational materials in sectarian schools (*Mitchell v. Helms*), and in 2002, the Court upheld the Ohio school-voucher program, even though 96 percent of the students were attending church-affiliated schools. And the Court has permitted substantial religious operation of government-subsidized social services, as long as there is no explicit proselytizing in the subsidized program.

These decisions, far from appeasing those on the religious right, only whet

Bush declared that "faith-based" initiatives can arise "from Muslims, Mormons, and good people of no faith at all." Imagine an atheist trying to apply for a grant.

surely be news to Jimmy Carter and Bill Clinton, not to mention George W. Bush.

What of the claim that religion has been banished from the public square? As Michael Kinsley wrote in a skeptical review of another influential volume bemoaning secularism, Stephen Carter's 1992 book *The Culture of Disbelief*, "[D]oes anybody really think it is harder to stand up in public ... and say, 'I believe in God,' than it is to stand up and say, 'I don't'?"

Supreme Court decisions from the late 1940s through the early 1970s did limit tax support for education in sectarian institutions. These decisions were rooted in a Jeffersonian concern for religious minorities. But for at least three decades, the Court has been reversing ground, allowing a variety of public subsidies for religious instruction and permitting religious displays in public squares. The Lubavitchers recently ran a full-page ad in *The New York Times* announcing their sukkah in New York City's Bryant Park. Public crèches are now commonplace. (Ironically, the Court has sometimes limited protections of non-Christian religious

their appetite. Souder asserts, "[T]he posting in the schoolroom of the Ten Commandments (as long as other expressions are also posted) and a Bible on a teacher's desk are not indications of state-sponsored religion." But how can they not be? And which Bible, and what other posted expressions? There is no practical way of promoting faith without promoting particular faiths. George W. Bush declared, preposterously, that faith-based initiatives can arise "from Muslims, Mormons, and good people of no faith at all." Imagine an atheist applying to the Office of Faith-Based Services.

Granted, a few liberal intellectuals are explicitly hostile to religion itself. Coupled with the general irreverence of the popular culture, that fact plays into the religious right's sense of itself as a beleaguered minority and creates problems for Democrats in what could once be called, with no disrespect, the Bible Belt. And yet it is possible and necessary, with Jefferson and Madison, to welcome the constructive role of both religious and secular wellsprings of social reform while also resisting

the efforts by religious zealots to tear down the church-state wall on the premise that their policy preferences reflect God's will.

Sadly, too, as Jacoby notes, the preponderance of clerical influence in the American republic has often been reactionary. Despite the prominent contribution of radical Christians such as William Lloyd Garrison in the anti-slavery movement and the prophetic role of Martin Luther King Jr. in the civil-rights movement, the vast majority of Protestant preachers defended slavery as the Lord's plan, just as they defended racial-segregation right through the 1960s and acclaimed the wiping out or forced conversion of heathen Native Americans. Most established religions disparaged and suppressed the struggle for women's emancipation, as official Catholic doctrine still does. The majority of American reform movements were, in fact, predominantly secular. The most important of these, the labor movement, sings "Solidarity Forever" to the tune of "The Battle Hymn of the Republic," but the lyrics are words of earthly struggle and brotherhood.

One of the great popular orators of the 19th century, Robert Ingersoll, a figure all but lost to American history, declared on the centennial of the signing of the Declaration of Independence that the Founders "did away forever with the theological idea of government." As Jacoby ruefully notes, he spoke too soon. "The guarded voice of twentieth-century secularists," she writes, "presented a sharp contrast to the more forthright nineteenth-century free-thinkers, who, at a time when even fewer Americans agreed with them, sought to persuade their countrymen that it was possible to work for the betterment of mankind without acknowledging the authority of God."

FIVE CENTURIES AFTER THE SPANISH Inquisition expelled the Moors, Madridiños awakened on March 11, 2004, to learn that several commuter trains had been bombed and nearly 200 people killed. The perpetrators turned out to be Islamic militants, mostly from Morocco, the site of Boabdil's exile. In recent years, some 300,000 Muslims have returned to Spain. A new mosque

was recently consecrated in Granada, within sight of the Alhambra. Unlike America, with its religious diversity and assimilation of immigrants, Europe's Muslim communities tend to dwell in separate, hermetic worlds, whether in France, Germany, or Spain. Spanish police had little purchase on the terrorist cells, whose members moved easily in the Moroccan barrios of Madrid. By contrast, not one of the September 11 terrorists was a permanent immigrant to America; all had to be imported for the deed. America's tradition of pluralism and its assimilationist tolerance based on a secular constitution are a lit-

tle-appreciated source of our security as a nation.

What most differentiates America from the Islamist nations that we are trying to convert to Western-style democracy is that they are theocracies while we respect civic rights and religious pluralism. If we hope to rekindle the more outward-looking brand of Islam lost at Corboda, we need to proceed by example. And if there is to be a clash of civilizations, let it be our pluralism versus their dogmatism, not a clash of dogmas. The last thing America needs, either in its domestic civic life or in its foreign policy, is a new Crusade. ■

BOOKS

Dream On

AMERICAN DREAM: THREE WOMEN, TEN KIDS, AND A NATION'S DRIVE TO END WELFARE BY JASON DEPARLE • VIKING • PAGES • \$25.95

BY DALTON CONLEY

REMARKABLY LITTLE HAS BEEN HEARD about the poor from the Bush administration during the past four years. The administration has focused more on rewarding its base—"the haves and the have-mores"—than on demonstrating that there was real substance behind the president's "compassionate conservatism." But that's only half the explanation for the inattention to poverty. The other half is that Republicans—and many Democrats—believe that the welfare-reform legislation passed by Congress and signed by Bill Clinton in 1996 settled the big public-policy questions regarding the poor. That legislation promised to end welfare as we knew it, and, to a considerable extent, it has.

Jason DeParle enjoyed a front-row seat as the public drama of welfare reform unfolded. As the national poverty reporter for *The New York Times*, he had access to the players in Washington who were debating welfare policy, from Clinton himself and the leading Republican politicians on down to the key advisers in the Clinton administration, Bruce Reed and David Ellwood, as well as Charles Murray and other key conservative policy intellectuals.

DeParle also had a backstage pass to welfare reform's private drama: He followed three women and their children, longtime welfare recipients, who were textbook studies of the "tangle of pathology" of inner-city life. Moving from Chicago to Milwaukee for Wisconsin's higher welfare benefits and lower rents, they seemed to embody the ethos that conservatives interpreted as a culture of dependency. Little did Angie, Opal, and Jewell know at the time, but they would soon be swept up in one of the most remarkable domestic-policy shifts since the New Deal: the replacement of welfare with workfare. Many books try to link the personal to the political, combining statistics with case studies or viewing history through the experience of particular figures, both notable and anonymous. DeParle connects the personal and political by documenting both the public and private dramas of welfare reform with a keen eye and an even more remarkable pen.

Although many pundits would credit the workfare revolution to conservative think tanks and their representatives such as Murray, perhaps the real ghost in the machine was the in-

tersection of demography and economics. When Congress created Aid to Dependent Children in 1934, it intended the cash benefits to help white widows, specifically to enable them to remain at home as caregivers for their children. Decades later, when nonmarital childbearing rates rose, those cash benefits for single unmarried mothers became the quintessential welfare program of the late 20th century.

Meanwhile, the labor force was changing. The proportion of women in paid employment doubled between World War II and 1990, as married couples increasingly required two incomes to maintain a reasonable standard of living. Looking back, it is no wonder why workfare replaced welfare: The social norms regarding work had so radically shifted that politicians and the public were not going to continue paying poor women to stay home with their children when so many other women could not afford to do that themselves.

DeParle knows his history. He puts welfare in historical context and also takes us back to Mississippi to visit some of the progenitors of the three women who are the main focus of his book, skillfully showing us that the roots of ghetto culture lay in the cotton fields of the South. The social organization of family and economic life there—along with the racist structures of opportunity—were eerily similar to the lifestyles and obstacles faced by the women in Chicago and Milwaukee. DeParle's history lesson goes a long way toward debunking arguments that welfare created the culture of urban poverty.

Welfare reform itself helps debunk these myths as well. What stands out from the narratives of Angie, Jewell, and Opal is how little welfare and its regulations figured in their life stories. They had all worked to varying degrees when they were on the dole. It is true that welfare reform increased their work hours dramatically and their incomes modestly. But it didn't solve the rest of their problems: substandard educations, drugs, abusive boyfriends, children with fathers in jail, and, last but not least, a lack of decent-paying jobs with the potential for upward mobility.

As well-written and comprehensive as *American Dream* is, though, it only

whetted my appetite for more. I would like to hear DeParle tell the whole story all over again, this time following the fathers—the missing men who haunt this book like eerie specters and who seem to be the key to understanding the dynamics of inner-city life pre- and post-welfare reform. DeParle seems to acknowledge as much in the final chapter, claiming, “The more time I spent at Angie’s [one of the relative success stories of the book], the more it felt like everything was about Greg [her children’s father, who had been put away for murder]. He had been gone for eight

continued to fall and the poor fared relatively better than in other downturns. But more recent data indicating an increase in poverty should prompt a closer re-examination of the fate of women who have left welfare.

I’d also like to find out what’s happening to the 10 children DeParle describes—from little Myerra (born to Opal with crack in her blood) to the academically talented but frustrated Von to Kesha (Angie’s daughter who, we learn on the final page, has had her first child at 17 but works full time and avoids welfare altogether).



The Jury's Still Out: The real test of welfare reform will come when these children grow up.

years, but his absence had left a hole that nothing had been able to fill—not welfare, not work, and certainly not the parade of men filing through Angie’s life.” In August, DeParle published an article in *The New York Times Magazine* about a man who, after being released from prison, has rejoined Jewell, one of the women featured in the book, and is raising their son. But here DeParle is showing us the exception rather than the rule; he has yet to give us the full picture of the fathers’ world.

Finally, I craved more information about what’s happened since 1999 (the year when the main body of this book’s narrative leaves off). In an epilogue, DeParle cites some evidence that during the recession of 2001, welfare caseloads

This next generation is the real test of welfare reform. The advocates of reform argued that the replacement of welfare with work would bring about a sea change in the daily rhythms and norms of inner-city life. Let’s hope that DeParle, or someone with his skill, will be around to keep track of the young as their own stories unfold. Unfortunately, from what DeParle himself tells us about the Milwaukee families and the economic realities they face, I’m afraid the sequel will not turn out for the best. ■

DALTON CONLEY is a professor of sociology and public policy at New York University. His latest book is *The Pecking Order: Which Siblings Succeed and Why*.

Starting November 3

BY ROBERT B. REICH

The real work for progressives starts November 3, either fighting a newly unleashed George W. Bush or helping a sure-to-be besieged John Kerry. But to be effective, progressives must understand why the right has been so successful at shaping the

national debate.

The conventional view sees the right's success as a reaction to the left's predominance during the 1960s and early '70s. The Civil Rights Act of 1964, a series of liberal Supreme Court decisions, urban riots, and court-ordered racial remedies all drove working- and middle-class whites rightward. Richard Nixon's "silent majority" became a vocal majority. A counter-establishment of think tanks, pressure groups, and media stars emerged. Ronald Reagan was a product of this movement; George W. is its most recent incarnation.

This view offers some comfort to Democrats because it suggests that the pendulum will swing back as the public wearies of the excesses of the right. It also holds that the only way Democrats can ever regain political dominance over the long term is by moving to the so-called center. But this view is historically incorrect. American politics remained quite moderate through the 1980s. Until 1994, Congress was mostly controlled by Democrats and still harbored some liberal Republicans. Even under Reagan, America continued to extend civil rights and social programs. Meanwhile, the main targets of conservative ire—high crime, illegitimate births—began to disappear.

In reality, the right-wing ascent is a more recent phenomenon, born of working-class anger and anxiety. The take-home pay of workers without college degrees—that is, the vast majority—has dropped steadily for 20 years. Health costs have skyrocketed. The shift of factory jobs to Latin America and China accelerated in the 1990s. Union membership imploded. Huge chain stores like Wal-Mart pulverized local retail businesses. Agribusiness drove tens of thousands of small farmers to ruin. Middle Americans who had anchored the nation's heartland with a faith in upward mobility have become disillusioned and resentful.

The right has deflected this anger toward cultural issues—abortion, guns, gay marriage—while encouraging a swaggering, "bring it on" patriotism. Right-wingers pose as angry populists protecting middle America from liberal snobs and know-it-all professionals inhabiting the cosmo-

politan coasts. The high-decibel right-wing media fill the airwaves with diatribes against Hollywood, *The New York Times*, the Ivy League, and Washington do-gooders. Even fighting terrorists is turned into a cultural class struggle. During the campaign, Republicans accused Kerry of being too effete, too "sensitive," too "French" to fight effectively. America, they said, needs a regular guy who shoots game and drives a pickup truck, a cowboy from Texas.

The right has been able to turn working-class rage into cultural, rather than economic, resentments because no one has explained to middle America what's actually happened. The wealthiest 1 percent now owns more than the bottom 90 percent put together. The rich didn't get where they are solely through hard work. The captains of American industry and their Wall Street advisers have shown no lack of ingenuity in robbing small investors and duping blue-collar employees. They've showered campaign contributions on politicians in order to get special favors and lower taxes. They've wangled deregulation, privatization, and free trade on terms that benefit them, but scarcely anyone else. They've bankrolled right-wing media.

The right has done everything in its power to keep the dots disconnected. For too long, rather than connect them, Democrats have courted upscale suburban voters—independents with no strong party affiliation—and offered precious little to the working class and the poor. In this respect, Kerry's campaign has been a fresh departure. Kerry's insistence on rolling back Bush's tax cuts for people earning more than \$200,000, and using the proceeds to finance affordable health care, is the clearest articulation of progressive principle emerging from the Democratic Party in years. But has Kerry gotten through? Early polling suggested that voters with only a high-school degree were tilted toward Bush, while Kerry was getting the college grads.

Cultural class warfare wins when anger has no other means of expression. Republicans speak the language of class, denuded of economics. The task for progressives, starting November 3, is to put the economics back in. ■

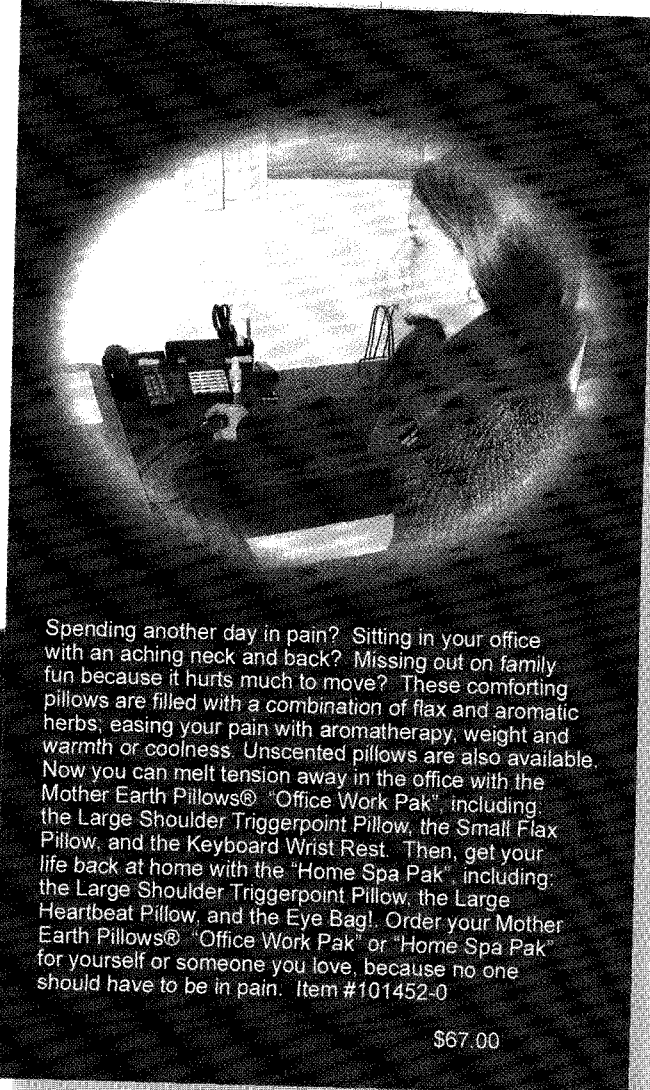
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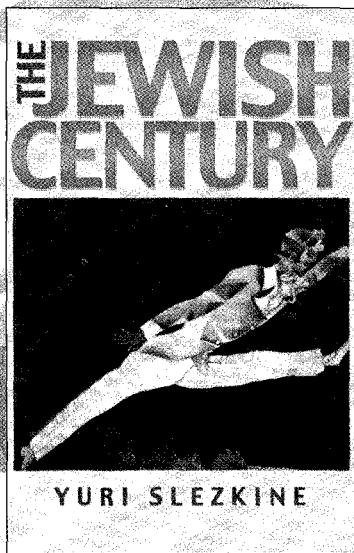
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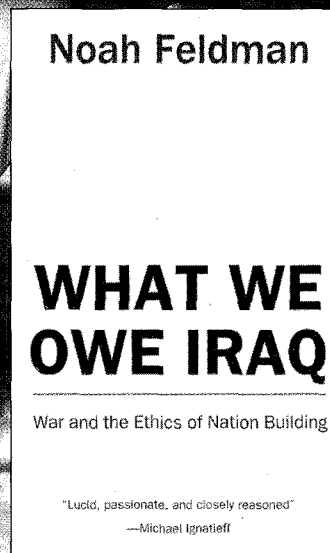
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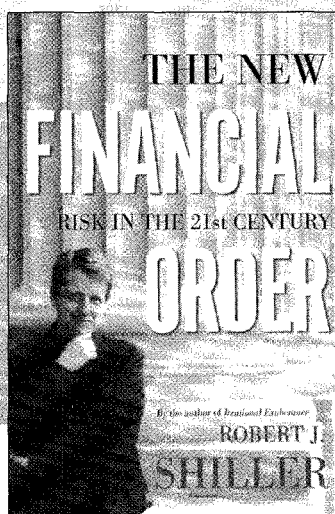
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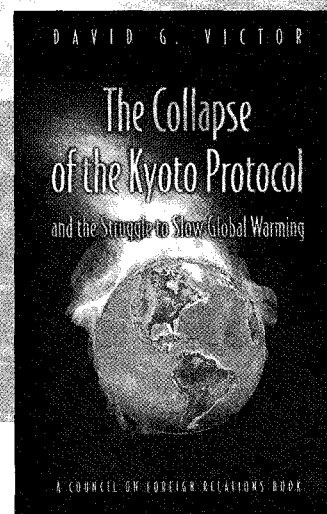
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